Board of Trustees Videoconference Meeting Minutes

June 15, 2021 7:30 pm EST

To join the Zoom meeting, put this link in your web browser’s URL address bar: Funeral Consumers Alliance

https://us02web.zoom.us/j/2811916531

AGENDA

1. Call to Order
2. Approval of draft minutes from May 18, 2021 meeting
3. Finances and Fundraising
4. Income vs. Expense, 1/1/2021 to 6/9/2021 with four prior years
5. Conference Planning
6. Programming ideas for fall virtual conference
7. Ongoing Projects
8. White Paper on FEMA funeral money
9. State Board website ratings with Consumer Federation of America
10. Funeral Rule response from FTC (we’re still waiting)

MINUTES

**Members in Attendance:** Ruth Bennett, Katherine Ortiz, Dianna Repp, Rod Stout,

 Kristin Mouton, Marjorie Focarazzo

 Josh Slocum, Executive Director

**Members Excused:** Sarah Jane Lambring,

I **Call to Order** by Vice President Ruth Bennett at 7:38 pm ET.

II **Quorum** established.

III Minutes of the May 18, 2021 were presented and approved.

IV Finances and Fundraising

1. Reviewed Profit and Loss and Balance Sheet
2. Net assets have increased
3. No major concerns about finances. FCA is in good shape.

V Conference Planning, Fall Virtual

 a. Possible ideas for programs

* Josh spoke to the Jewish Memorial Society. Good model and potential as a topic
* How to have successful online meetings, annual meeting, programs
* Online only
* Combined virtual and in person
* How to get legislation passed; lobby to get things done
* Direct mail fundraising—using the newsletter (Josh or Ruth)
* Parliamentary Procedure: how to make meetings better, more efficient (Ruth)
* Contract or Not (Rod)
* Veterans’ Benefits
* Dina Stander, Death Doula; Shroud Maker
* What happens to online presence, digital life when someone dies? Facial recognition? (Kristen may know someone who can present this topic)
* Alkaline hydrolysis as an option
1. Elections to take place Spring of 2022
* Need to form nominating committee; next meeting
* Rod will term out
* Ruth does not plan to run again

VI Ongoing Projects

1. White Paper on FEMA funeral money: there are things people can do with regard to cost; what about those who are not covered?
* Press Release: who is out audience? How many have taken advantage of this? Send to:
* All House and Senate representatives
* Affiliates
* News, such as NPR
1. State Board websites: Josh and Steve will be meeting for final draft; work with CFA for press release; affiliates may be able to help in trying to get the webpage(s) revamped, but there are not many rules
2. Funeral Rule: nothing to report at this time; suggested to contact affiliates in about a month to contact their representative to get a push on the FTC

VII Next meeting is July 20, 2021 at 7:30 ET

VIII Adjournment by consensus at 8:30 pm ET

Marjorie Focarazzo

June 16, 2021

**An Evaluation of Consumer Information Provided by State Funeral Regulators**

Joshua Slocum

Funeral Consumers Alliance

Stephen Brobeck

Consumer Federation of America

**June 2021**

**Executive Summary**

Consumers need good information about funeral homes that offer a variety of services which are relatively costly. State funeral service regulators are mandated to serve the public interest and are best equipped to provide consumers information about their rights, how to complain, and disciplinary actions. An evaluation of the consumer information on the websites of these state regulators found that only 7 states provided excellent consumer information (earning an A grade) while 33 states (including DC) made available poor or no information (earning D or F grades). Funeral Consumers Alliance (FCA) and Consumer Federation of America (CFA) urge state funeral home regulators to improve the usefulness of consumer information made available on their websites.

**Importance of State Regulators Providing Consumer Information**

Consumers who plan funerals, many of them bereaved, face numerous choices about specific services whose total cost can range from under $2,000 to well over $20,000. Yet, surveys have shown that most consumers have a poor understanding of their rights and smart shopping strategies. For example, a survey of 2,000 representative adult Americans earlier this year revealed that only 25 percent knew that funeral homes were required to provides price quotes over the phone and in an itemized price list. (note)

Excepting Hawaii, all US states and the District of Columbia have regulatory offices or boards that govern the commercial practice of funeral directing. Appendix A lists these regulatory agencies. The purpose of these regulatory bodies, according to the state laws that created them, is to protect the well-being of the public and consumers. States restrict the commercial practice of funeral directing to those who have demonstrated competency in the eyes of the state. In most states, licenses to practice are given only to those who have completed a two-year course of study in funeral directing and embalming, and who have passed an examination. The funeral regulators are also expected to investigate complaints against licensees and take disciplinary action where appropriate.

Accordingly, states have a state mandate to serve the public, and some states recognize this mandate by providing good information to consumers. These states accept responsibility for helping consumers make wise choices. The states do this by offering the public information on their legal rights when making final arrangements, by suggesting smart shopping strategies, by explaining how to file complaints and by identifying funeral homes which have been subject to disciplinary actions.

FCA and CFA evaluated the consumer information provided by state regulatory bodies on their websites. We examined the websites of the state funeral regulatory boards in all states (except Hawaii, which has no such board) and the District of Columbia. These websites ostensibly serve two audiences: the buyer of funeral services, and the professional provider. Consumer visitors are interested in learning about available options and the laws that protect the buyer’s interests. Professionals such as funeral directors seek information on requirements for licensure. We assessed each site’s usefulness to consumers, taking the point of view of the buyer, and imagining what he or she would find most useful.

**Criteria for Assessment**

We graded the consumer information provided by each state funeral regulatory board website on a scale from A (excellent) to F (poor). To achieve an A, a state funeral board website must include all of the following:

1. A prominent link to consumer-focused information. This should be “top-level”, and intuitively labeled, not nested underneath a menu of choices unrelated to consumer education.

2. An explanation of a consumer’s basic rights under the Federal Trade Commission’s “Funeral Rule.” This Rule, often mirrored by the state’s own requirements, gives consumers the right to choose services a la carte, receive price quotes by phone, and receive a printed itemized price list at a funeral home.

3. An explanation of a consumer’s rights when buying a prepaid funeral. This should include an explanation of how much a consumer would be refunded if the contract is cancelled before death, or if the prepaid money is assigned to a new funeral home at the customer’s request.

4. Other information about how consumers can optimize their purchase of funeral services, including links to the FTC website or publications on “Shopping for Funeral Services.”

5. A prominent link to file a complaint.

6. The ability to see whether a funeral home has been subject to disciplinary action by the regulatory body.

Using these criteria, two researchers independently evaluated each website then compared notes to arrive at a final grade. Websites earning a grade of A included all of this information (though not always links to the FTC information on shopping for funeral services) prominently presented under a consumer heading. Websites receiving a B included less of this information but under a prominent consumer heading. Websites earning a grade of C contained less consumer information and usually not prominently featured. Websites receiving a D contained little consumer information that were never prominently featured. Websites with an F included no consumer information labeled as such.

Some states only partially meet one or more of the six criteria above. Wisconsin, for example, publishes a consumer brochure on prepaid funerals. This is helpful, but it is missing the most important information: What percentage of prepaid money will be refunded to consumers (per state law) if they transfer or cancel their prepayment before death. Merely advising consumers to ask that question without telling consumers what the law entitles them to— as Wisconsin does— is not sufficient.

**State Grades**

The majority of states did not meet our criteria for the minimum level of useful information for consumers. For this majority, the websites were designed primarily to serve funeral directors. It was easy to find information such as the fee structure for initial and ongoing business licensing, but it was often not easy to find information relevant to the consumer (and in some cases, no such information was offered).

Seven states (14%) received an A grade, five states (10%) a B grade, five states (10%) a C grade, 26 states (52%) a D grade, and seven states (14%) an F grade. Hawaii was excluded from this evaluation since it has no state regulatory body overseeing funeral homes. The state grades are listed below: STEVE: should we delete the + and – from these grades?

**A**
Arizona
California
Kansas
Minnesota

New York
Oregon
Virginia

**B**

Nevada
Oklahoma
Tennessee
Texas
Washington

**C**

Florida (C+)
Illinois
Louisiana
Nebraska (C+)

Wisconsin

**D**

Alabama (D-)

Arkansas (D-)

Colorado
Connecticut
District of Columbia (D-)

Georgia (D-)

Idaho
Indiana (D-)

Iowa
Maine (D-)

Maryland (D-)

Michigan (D-)

Mississippi

Missouri
Montana

New Hampshire

New Jersey
New Mexico

North Carolina

Ohio

Rhode Island

South Carolina

South Dakota

Vermont

West Virginia
Wyoming

**F**Alaska
Delaware
Kentucky
Massachusetts
North Dakota
Pennsylvania