

# Plain Talk

From the Funeral Consumers Alliance of Maryland & Environs (FCAME)

## Death certificates play an important role

After someone dies, there is a legal requirement that a death certificate be partially filled out and signed by the physician or nurse practitioner in charge of the individual's care. In addition to writing the name of the deceased and the cause of death, the date and hour of death as well as the place where the death occurred also need to be specified. In Maryland, this must be done within 24 hours; in DC and Delaware, the requirement is within 48 hours.

If the attending physician or nurse practitioner is not available, the death certificate may be filled out by an associate of the attending physician if the latter agrees.

If a death is unexpected, the state medical examiner may require an inquiry that will have to be investigated with an autopsy. Generally, the deceased's physician will be consulted by the medical examiner's office. If the deceased had known medical conditions and the physician feels comfortable certifying a cause of death without further inquiry, the medical examiner may waive the case and the deceased's physician will fill out the death certificate.

After the cause of death is agreed upon and the death certificate is signed by a physician or nurse practitioner, the body can be released to a funeral director hired by the deceased's family, to the Maryland Anatomy Board or a medical school, or to the person acting as the funeral director for a home funeral.

Normally the funeral director will fill out the remainder of the death certificate with information obtained

from family or other reliable sources. Vital statistics needed on the deceased for the death certificate include: their social security number, age, date and country of birth, address, citizenship, marital status, race, education completed, occupation, years served in the U.S. military (if any), as well as their father's and mother's full names.

The death certificate also must indicate how the body will be handled (ie., buried, cremated, donated or sent out of state) and where the remains will go (ie., cemetery or another place). Page two of the death certificate in Maryland provides the permit for "burial, transportation, removal, cremation or other disposition" of the body.

If the body will be donated to the Maryland Anatomy Board or a medical school, they will take care of completing the death certificate and having it filed with the state or local registrar.

### **You're invited to FCAME Annual Meeting Nov. 11**

*Learn about our plans for the future, get a legislative and regulatory update, and have your questions answered*

Join us for the FCAME 2012 Annual Meeting on Sunday, November 11, from 2 to 3:30 P.M. at Cedar Lane Unitarian Universalist Church, 9601 Cedar Lane, Bethesda, MD 20814. We'll meet in the chapel.

The meeting will include reports from FCAME officers on our activities during the past year.

In Maryland and Delaware, the funeral director must file completed death certificates with the Department of Health within 72 hours after the death. In the District of Columbia, the death certificate must be filed with the local registrar within five days after the death and before final disposition of the body.

In DC and Delaware, a separate permit must be obtained from the medical examiner before a cremation can occur. The funeral director normally handles this for the family.

The burial transit permit in Maryland must be signed by the cemetery or crematory person in charge after stating where the body was buried or cremated. The permit then must be returned to the Department of Health and Mental Hygiene within 10 days after final disposition of the body.

In DC, the funeral director or person acting as such must obtain authorization for final disposition of the body from the next of kin. The authorization form must be signed within 10 days of final disposition by the person in charge of the disposition (eg., at a cemetery or crematory) after stating the date it occurred. The funeral director must submit the completed form to the DC government at the close of the calendar month.

In Delaware, a report of cremation indicating the name of the deceased, their former address, the date and cause of death, and the date of the cremation must be signed by the person in charge of the crematory and filed with the state's Office of Vital Statistics within 24 hours after the cremation was completed. No similar requirement exists in Delaware for reporting burials.

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## Common questions answered about death care planning

By Brian Ditzler

A group of senior citizens in Columbia, MD, recently shared with me a list of questions they had relating to funerals, burial and cremation. Since others likely have similar questions, I am sharing their questions here along with my answers.

### **Q. Why are we so reluctant to think about death?**

**A.** We live in a death-denying culture. Most people don't like to even think about death until forced to do so. That means most people aren't prepared for when it happens, and their family often ends up spending far more than they want or need to on funeral and burial products and services. A typical funeral and burial often ends up costing \$14,000 or more.

### **Q. My family is reluctant to discuss the topic of funerals, so how do I have THE TALK with them about what I want done?**

**A.** You might tell them there's something you've been thinking about that you want to share with them. Or you might first ask if they've ever thought about what final arrangements they would want for themselves if they were to be in a serious accident and death was a possibility.

### **Q. Where do I actually begin the process of planning for a funeral? What kind of information should I be gathering?**

**A.** First, reflect on what you've liked and disliked about funerals and memorial services that you've attended. Then do a little research to determine the cost of the things you've liked, as well as what's required and what is optional. Decide how much you want to spend.

There's a wealth of information available on the Internet, including at FCAME's web site [www.mdfunerals.org](http://www.mdfunerals.org). Publications also are available on funeral planning from AARP, the Federal Trade Commission at [www.ftc.gov/funerals/](http://www.ftc.gov/funerals/) and state regulatory bodies such as the Office of Cemetery Oversight at [www.dlir.md.gov/license/cem/cemcon.shtml](http://www.dlir.md.gov/license/cem/cemcon.shtml).

Visit several funeral homes as well as several cemeteries in your area if you are considering using them. Get their ideas, understand their requirements, and pick up copies of their General Price List, which by law they are required to provide to you. After you've done your research, put your plan in writing, discuss it with your family, give them copies of your plan and let them know where you keep your copy of it.

### **Q. I've heard that it's a good idea to take someone with you when visiting a funeral home. Why is this so?**

**A.** Having a friend accompany you to visit funeral homes and cemeteries is always a good idea, particularly if a death has just occurred or is imminent as you may be emotionally distraught and not thinking as clearly as normal. The friend also can help you remember what you've seen and heard, and can offer advice.

### **Q. Are there services that funeral homes often suggest**

### **that are really not required?**

**A.** Yes. Many funeral homes will suggest a "package" of various products and services they say are what most people want. By law, you don't have to buy any package and can buy only what you want. Be sure to demand an itemized list of what you plan to buy before you give them any money.

Some of the "extras" you can easily skip include an expensive casket or urn, embalming, viewing of the body, funeral services at the funeral home, photo or poetic remembrances to be handed out, lots of flowers, placing an obituary in the newspaper, and use of a hearse and limousines. A memorial service can be held later at a location of your choosing, such as at a church, park or back yard at little cost except what food or drink you may want to offer.

### **Q. What do I need to know about caskets?**

**A.** A body can be cremated in a cardboard casket or cloth / vinyl bag. Inexpensive "minimum containers" of cloth-covered fiberboard are available at most funeral homes but you have to ask for them. You can cover them with flags or a favorite quilt, if desired. Caskets typically cost from \$2500 to more than \$10,000. All funeral homes must show you their casket price list if you request to see it. Protective, metal caskets may keep out air, water and other outside elements for a while, but the body will decompose regardless.

Caskets can be purchased online and from stores like Costco and Walmart as well as from funeral homes and cemeteries. By law, a funeral establishment or cemetery cannot charge you a service fee to use a casket you purchased elsewhere. It's even possible to rent a nice looking casket for people to see at a viewing and then to have the body buried in an inexpensive minimum container.

### **Q. What burial costs can one expect to incur in addition to funeral costs?**

**A.** Typical products and services most cemeteries REQUIRE be purchased to bury a casket or urn include: a burial plot, basic services of funeral director and staff, opening the ground and closing it afterwards, a casket liner or vault to keep the ground from sinking above the casket, a casket-lowering device, a stone monument with carving or a bronze plaque, and perpetual care or maintenance fees. Such costs often total \$5,000 or more.

Optional expenses include a hearse, services at the gravesite, a tent over the plot with some chairs beside it for a gravesite service, flowers, moving flowers from a funeral home to a gravesite, and use of a mausoleum, if desired.

### **Q. What cemetery rules/regulations should we ask cemeteries about when we visit them?**

**A.** First off, determine what products and services each cemetery requires be purchased for each burial. Ask what the cemetery rules are governing grave markers - such as stone

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## **Common questions answered about death care planning (continued from page 2)**

monuments above ground or bronze plaques flush with the ground. Ask how much space there is between graves and memorials and whether benches may be placed or trees planted on or next to gravesites.

Ask if they allow "double depth interments" where one burial space can be used for burial of two family members. Ask if they have a perpetual care fund. If so, inspect its financial statement to be sure it's in an irrevocable trust so monies can't be removed from it for other purposes. If they don't have such a fund, ask about maintenance of the cemetery.

### **Q. Is there an advantage to prepaying funeral expenses?**

If death is imminent, then prepaying funeral expenses may make sense as it will be one less thing to worry about. If death is not imminent, we recommend people not prepay their funeral expenses for a number of reasons. The funeral home may close or change owners so it might be difficult to recover your funds. Also, you may move away or decide you need the funds for some other purpose.

What's most important is that you do your research, decide what death care is wanted and put in into a written plan. If you've done your research, you will know approximately what it will cost so ideally you can set such funds aside beforehand.

FCAME recommends use of a payable-upon-death account (also called a Totten Trust) at a bank. The benefits of such an account are that it can be revoked at any time, the funds are not subject to probate, and the funds can earn interest which will compound and increase the balance in the account over time. Contrast that with "preneed contracts" at funeral homes and cemeteries where the establishment keeps whatever interest is earned.

### **Q. What options are there to a traditional funeral?**

**A.** Direct cremation can cost as little as \$900 but usually around \$1200. This means no embalming and no services at a funeral home. Cremation is in a non-rigid cloth or vinyl

container or cardboard casket, with ashes provided back in an inexpensive container like a small cardboard box.

Immediate burial involves no embalming, no services at a funeral home, and use of an inexpensive casket. Funeral homes charge around \$1200; still have burial expenses.

The least expensive approach is to donate the body to medical science and education. You need to make arrangements for this ahead of time with the Maryland State Anatomy Board or a medical school, and they will pay to have the body picked up after being notified that death has occurred. They will cremate the body later and return the ashes to the family, usually within a year after death.

Green burial is offered by one or two cemeteries in our area. It's more environmentally-friendly but not necessarily less expensive. It involves having a body buried - often in a woody setting - in a cloth shroud or plain wooden casket. There is no casket liner or vault installed over top of the body, nor is there any stone or brass marker. You may be allowed to plant a bush or tree over top of where the body is buried.

### **Q. In summary, what death care planning do you recommend we do in advance of our eventual demise?**

- A.** Decide up front how much you are willing to spend.
- Learn what your options are by doing a little research.
  - Take a friend with you when visiting funeral homes and cemeteries.
  - Know what information must be provided to you upon request (General Price List, casket price list, itemized bill).
  - Put your plan in writing and share it with your family so they understand what you'd like.
  - Consider setting aside sufficient funds to cover expenses in a payable-upon-death account at a bank.

Remember - death is inevitable but expensive funerals aren't.

## **Death certificates play an important role (continued from page 1)**

In May of this year, the Maryland General Assembly raised the cost from \$12 to \$24 for each certified death certificate. In Montgomery County, MD, the county adds \$8 to the cost of certified death certificates, making them \$32 each. In Howard County, MD, the county adds \$11 for the first certified death certificate, making it cost \$35, with each additional death certificate costing \$24.

In DC, certified death certificates cost \$18 each; in Delaware, each certified death certificate costs \$25.

Sometimes funeral directors also add a fee for obtaining certified death certificates from the county or state.

Families need to decide how many copies of certified death certificates they want the funeral director to provide them. Most entities do not accept photo copies of certified death certificates so it's prudent to make sure you request more than enough.

Certified death certificates are needed for EACH: insurance policy, trust, stock, bond and mutual fund, 401K/403B, IRA, bank account, safe

deposit box, federal and state tax return, property title transfer (for real estate, vehicles, & boats), pension claim, annuity, credit card, cell phone company, employer (if still working), and possibly the DMV. Death certificates also are needed for probating a will and to provide to Social Security.

Banks or investment companies that have multiple accounts (eg., IRA, mutual funds, 401K) registered to the same name may require only one certified death certificate, but it's prudent to verify this with them.

*Plain Talk* is the newsletter of the Funeral Consumers Alliance of Maryland & Environs, the volunteer-run regional chapter of a national non-profit consumer education and advocacy organization, the Funeral Consumers Alliance (FCA). FCAME serves residents in Maryland, DC and Delaware.

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## Your support is vital to FCAME's mission and success

To join or remain a member of FCAME, we encourage an initial contribution of at least \$25, plus a similar donation at least every other year to help support FCAME as well as our national organization, the Funeral Consumers Alliance, which is sent a portion of the donations we receive.

What you get for being a member of FCAME:

- Information and advice that enable you to make more informed choices when planning funerals, burials, cremation, memorial services and other options for death care.
- Periodic newsletters with current information and advice that supplement what we provide on our website, [www.mdfunerals.org](http://www.mdfunerals.org).
- Results of periodic price surveys of the funeral industry in our area.
- An invitation to our annual meeting.
- Membership in the only regional and national non-profit organization that focuses solely on consumer education and advocacy of fair practices in the

death care industry through state and national legislation and regulation.

We are seeking volunteers willing to

contact your elected officials when legislation is under consideration that may affect your rights and protections.

### ***FCAME submits comments on cremation and funeral regulations proposed for Maryland***

In March of this year, the Maryland Board of Morticians and Funeral Directors and the Maryland Office of Cemetery Oversight issued proposed regulations for crematories in the state to comply with legislation passed in 2010 requiring that regulation of crematories be written by the two state agencies.

FCAME submitted detailed comments on both sets of regulations in late April, with our primary criticism being that the two sets of regulations should be more similar. The Joint Committee on Administrative, Executive and Legislative Review of the Maryland General Assembly had a similar concern and halted implementation of the regulations until they could be made more similar.

The Board of Morticians and Office of Cemetery Oversight have now issued new proposed regulation of crematories that FCAME is in the process of reviewing. We plan to submit comments that generally endorse the proposed regulations.

In early October, FCAME submitted comments in support of a proposed regulation that would allow the Maryland Board of Morticians to specify some of the academic courses in a mortuary science program that must be completed before individuals may be approved to be an apprentice mortician. The Maryland State Funeral Directors Association submitted comments opposing the proposed regulation.