

Plain Talk

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

Cemetery expert says “do your homework” before making purchases; provides tips

“Are cemeteries an endangered species?” was a question David Goodman explored in his presentation at the annual meeting of FCAME in November.

He also discussed how consumers should “do your homework” before making decisions about purchasing cemetery goods and services.

Goodman has been studying the after-death care industry, particularly cemeteries, since 1994. He has served as chairman of the Advisory Council to the Office of Cemetery Oversight in Maryland since the council was created in 1997.

The legislation that created the Office of Cemetery Oversight and its advisory council was a direct result of recommendations from a special state task force on death care services in Maryland whose membership included Goodman.

He is a licensed, certified clinical social worker, and noted at our meeting that the views he was expressing were his own and not that of the advisory council.

Goodman said there are many trends affecting the after-death care industry today including an

increase in life expectancy, and tremendous competition in the marketplace for funeral products now. The ability of consumers to purchase caskets and urns from large retail stores and over the Internet has driven down prices for those products, impacting their sale by cemeteries and funeral homes.

Consolidation began in the 1960’s, and today about five percent of cemeteries and 12 percent of funeral homes in this

country are owned by large corporations. Service Corporation International (SCI) owns 1600 funeral homes and cemeteries in the U.S. and Canada, and Stewart Enterprises owns 360 funeral homes and cemeteries in the U.S.

[Editor’s note: SCI and Stewart Enterprises own 18 (six percent) of the 288 licensed, active funeral homes in MD.]
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Home funeral is option to consider

by Ashley Martinez

The environmentally-friendly, old-fashioned practice of conducting home funerals has been regaining popularity. During a home funeral, family members and friends provide many of the after-death services for the deceased.

Home funerals used to be the usual practice, but over time, the convenience offered by funeral homes caused the latter to become the primary provider of after-death services.

Home funerals are legal in most states, including Maryland and Virginia, and can be coordinated with a local funeral home which can provide the services not handled by family members and friends.

Crossings is a non-profit, Maryland-based home funeral resource center that provides information about planning and carrying out home funerals, including legal requirements and how to coordinate with local funeral services providers as needed. *Crossings* also collects inspirational stories shared by those who have provided after-death care provided for loved ones.

Crossings has compiled a resource manual that provides detailed
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instructions on after-death care and related topics.

The manual is available for purchase and also can be viewed on their website (<http://www.crossings.net/resources.html>) and downloaded for free.

When organizing a home funeral, a good first step is to gather a group of friends who will help with the arrangements. Enlisting trusted family and friends will not only provide essential emotional support, but can help divide the tasks associated with a home funeral, including carrying, dressing and laying out the body of the deceased.

Coordinating and completing tasks in advance, where feasible, will help things go smoothly later.

Planning involves choosing cremation or burial, and contacting the desired service provider(s) so they can let you know their specific policies and can accommodate your plans; gathering biographical materials and arranging for the death notice; selecting music or hiring musicians for the funeral service and, if desired, a viewing; and acquiring a source for dry ice for temporarily preserving the body.

If a person dies in a hospital, hospice or nursing home, arrangements for transport of the body to the home will need to be made.

Some medical facilities may insist they will only release bodies to a funeral home

because that is what they are used to doing. However, if they don't have written rules on this and you have both the desire and ability to transport the body in a personal vehicle, they may agree to your wishes. Having them phone the Board of Morticians and Funeral Directors in your state also should help allay their concerns.

A body may be transported within DC with the consent of the physician or medical examiner certifying death. In Maryland and Delaware, the death certificate (signed by a physician or medical examiner) serves as a burial transit permit.

When planning a home funeral, a funeral director does not have to be involved (unless local laws mandate that a funeral director be contacted). Family and friends can make all of the arrangements, can seek consultation for certain aspects of the funeral process such as completing necessary paperwork, and can request specific transportation, cremation or burial services through funeral homes or cemeteries.

In most circumstances, embalming is not required for the deceased, although many funeral directors might require embalming if specific services of theirs are requested.

Home funerals provide post-death care that is intimate and unique to the deceased and to the loved ones left behind. Home funerals, according to *Crossings*, allow the departed to remain at home or at a cherished location for up to three days, and

be surrounded by family and friends during that time.

For people coping with the passing of a loved one, a home funeral can help foster a sense of closure as they are permitted to take their loved one's care into their own hands and are given more time to spend with the body.

It can provide a sense of having served a loved one well as family and friends pay their respect through arranging the departed's post-death care, not only with compassion and love, but with intimate knowledge of the manner and atmosphere in which the departed would want their funeral services to be conducted.

If desired, home burial is permitted in Maryland as well as in Delaware outside town limits in Kent and Sussex counties. However, the county clerk must be contacted as the location of the body must be entered into the plat for that land, and there may be other local ordinances and regulations that apply. A burial should be 150 feet or more from a water supply, with at least two feet of earth on top, and not be adjacent to a property line.

A recently published book, [Final Rights – Reclaiming the American Way of Death](#) by Lisa Carlson and Josh Slocum (Upper Access Publishing), is a very useful reference for understanding what's involved with death care, including how to avoid the pitfalls facing consumers as they attempt to navigate around the barriers erected by the funeral industry.

Cemetery expert provides consumer tips

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The popularity of cremation continues to grow in the U.S. while the preference for burial slowly declines. The rate of cremation in this country is currently around 38 percent; in Maryland, the cremation rate was 34 percent in 2010, up from 22 percent in 2000.

Another factor affecting the after-death care industry is negative media coverage from fraud, embezzlement, mishandling of human remains and poor record keeping by some cemeteries and funeral homes which results in loss of public trust of the overall industry.

Goodman recommended that consumers “arm yourself with knowledge” of how cemeteries work before deciding what to buy and where. Here are some consumer tips he offered.

Visit cemeteries you are considering and observe them over time.

Get the general price list from different cemeteries and compare prices for their various requirements such as the burial plot, ground opening and closing, vaults or casket liners, temporary tent over gravesite and equipment to lower the casket, customized plaque, marker or monument, and any maintenance fees.

Ask about their rules governing such things as type of grave markers, whether benches may be placed or trees planted on or next to grave sites, and how much space there is between graves and/or memorials to avoid surprises later.

Ask if they allow “double-depth interments” (where one burial

space can be used for the burial of two individuals) and what requirements they have for them.

Ask if they have a perpetual care fund. If so, inspect its financial statement to make sure it is an irrevocable trust so monies can't be removed from it. If not, ask about maintenance of the cemetery.

Be aware that even if they have a perpetual care fund, the amount in it may not be sufficient to cover future costs.

Ask to see each cemetery's license; make sure it is current. Check with the Better Business Bureau and the county consumer protection office (if there is one) to find out if there is a history of complaints filed against the cemeteries you are considering.

Use the “buddy system” – take a friend with you when you visit a cemetery to get a second opinion on what you need and what you are promised.

Insist that anything promised verbally be put in writing and signed by a responsible party at the cemetery. The signed contract is your protection.

Understand your options and rights in getting out of a contract later if you want.

Look at the consumer tips, brochure and frequently asked questions (FAQ) available on the website of the Maryland Office of Cemetery Oversight.

FCAME advocating at MD Legislature

A number of bills relating to funeral homes and cemeteries have been introduced in the current session of Maryland General Assembly, which runs from January 11 to April 9 this year.

As of late February, FCAME had submitted written testimony that supported three bills as written, and supported another six bills if amended. We also testified in person on most of those bills at committee hearings in the House of Delegates and in the Senate. FCAME plans to provide testimony on at least three more bills this session, but the hearings had not occurred when this issue of the newsletter was written.

For the first time this year, FCAME had legislation introduced at our request in the Senate and House. The bill, titled “Handling Human Remains with Dignity Act of 2012”, is aimed at preventing the mishandling of bodies by funeral homes. This has been a particular problem because the remains of retired veterans in our

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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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FCAME needs your support to fulfill its mission

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, FCA, which is sent a portion of the donation 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, cremation, memorial services and other options for after death.
- Periodic newsletters with current information and advice that supplement what we provide on our website, 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 funeral industry through state and national legislation and regulation.

FCAME advocating at Maryland Legislature

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state often need to be stored for two months or more awaiting burial in Arlington National Cemetery.

FCAME also had written testimony opposing two cemetery-related bills and was ready to testify in person against them when the House and Senate committees considering them issued unfavorable reports on the bills and cancelled the planned hearings. The bills would have allowed cemeteries to reclaim the right to interment in cemetery plots if 50 years had passed since the cemetery last interacted with the owner (or a family member) of that right to interment, and the cemetery was unable to locate the owner or a family member.

A complete rundown of the bills considered in this session of the Maryland General Assembly that FCAME submitted testimony on will be in the next issue of the this newsletter.