



Funeral Consumers Alliance of Maryland and Environs

Protecting a consumer's right to a meaningful, dignified, and affordable funeral.

HB 1062 - Support

Testimony for the House Committee on Health and Government Operations

March 5, 2015

Submitted by Brian E. Ditzler, FCAME Vice President

Chairman Hammen, Vice Chair Pendergrass and Members of the Committee:

Thank you for the opportunity to provide testimony from the Funeral Consumers Alliance of Maryland and Environs (FCAME) in support of House Bill 1062 which would define where care and custody of a body begins and ends for funeral establishments and crematories licensed by the Board of Morticians and Funeral Directors.

At present, if a problem happens to occur after human remains have been removed by a funeral establishment from the place of death, there may be some question as to who is responsible for addressing the problem in a prompt and appropriate manner, and potentially being held liable for what happened.

The funeral establishment that removed the body in the first place may say the fault lies not with them but with the crematory or possibly the cemetery; the crematory may claim it's not at fault and the funeral establishment that is handling the final arrangements is responsible for addressing any problems that may have occurred; or possibly the cemetery may claim they bear no responsibility even though the problem occurred on their property.

It's potentially a nightmare scenario for a consumer who is grieving at the loss of a loved one and may be faced with a problem that no one is accepting responsibility for helping get fixed quickly for fear they may be facing a lawsuit.

The approach spelled out in HB 1062 makes clear when the responsibility begins and ends for funeral establishments and crematories, including when human remains will be transported out of state. Approving HB 1062 would benefit consumers because they would be far less likely to face uncertainty about who would address any problems that occur, and funeral establishments would benefit because their potential liability would be lessened from what exists now.

In summary, HB 1062 seems to be a reasonable approach to assign responsibility and lessen uncertainty that exists in law now, so is deserving of your support. The Funeral Consumers Alliance of Maryland & Environs joins with the Board of Morticians and Funeral Directors in supporting HB 1062. We ask this committee to issue a favorable report on it.

FCAME is the volunteer-run, regional chapter of the Funeral Consumers Alliance (FCA), the oldest and largest consumer protection organization focused solely on guarding the rights (and wallets) of grieving consumers. FCA's many chapters across the country are dedicated to: helping consumers be more informed about death care options, and protecting the public from fraud and abuse in cremation, funeral and burial transactions. FCA and its chapters take no money from the death care industry or government.

Funeral Consumers Alliance of Maryland & Environs (FCAME)

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