



Funeral Consumers Alliance of Maryland and Environs

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

HB 561 - Oppose

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 opposition to House Bill 561.

House Bill 561 would change language in statute 7-202 of the Health Occupations Article to require that two of the five or six professional associations that represent funeral directors and morticians in our state be designated to submit nominations to fill vacancies on the State Board of Morticians and Funeral Directors. Having just those two organizations represent all of the licensed funeral and crematory practitioners in the state, including those who don't chose to belong to one of those associations, would be undemocratic, elitist and is totally unwarranted.

Also, having funeral director associations be charged with nominating the consumer members of the board would defeat the purpose of having individuals on the board who are supposed to be independent consumers not aligned with any funeral establishment or trade association of funeral directors.

The logical question that should be asked is what problem is this legislation intended to fix? To my knowledge, there is no problem. Both practitioners and consumers are nominated now to fill vacancies on the Board, without difficulty, and some of the practitioners who are nominated likely are encouraged to do so by a trade association where he or she is a member. There is no dearth of nominations when vacancies occur now.

This proposal frankly should be viewed for what it really is - a desperate attempt by one of those groups in particular, the Maryland State Funeral Directors Association, to regain the relevance and credibility it's been unable to achieve on its own. That group in particular has been experiencing years of declining membership and importance.

It's no accident that a number of the members of the Board of Morticians in recent years belonged to the Maryland State Funeral Directors Association when they were first appointed to the Board, but subsequently dropped their membership from that organization after seeing first hand the unacceptable practices that association was choosing to ignore. The Board members also no longer wanted to pay the association's high dues that went primarily to pay its lobbyist to advocate for or defend practices they considered to be harmful to the industry, its reputation and the public welfare.

In summary, HB 561 is an ill-conceived solution in search of a problem. What HB 561 proposes is totally undemocratic, and if enacted, would likely stifle the effectiveness of a health occupation board whose statutory purpose is to protect the public and not the profession.

The Funeral Consumers Alliance of Maryland & Environs strongly opposes HB 561 and asks this committee to issue an unfavorable report on it.

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