

## **Oklahoma funeral directors respond to casket controversy**

Janice Francis-Smith

Price isn't everything, the head of the Oklahoma Funeral Directors' Association said Tuesday.

But on the subject of price, Jay Baines, executive director of the association, asked where state Rep. Paul Wesselhoft, R-Moore, is getting his estimates that funeral home directors mark up the price of caskets by 200 percent to 600 percent. Wesselhoft plans to introduce legislation to remove Oklahoma's law requiring anyone selling a casket in Oklahoma to have a funeral director's license.

Let's compare apples to apples, rather than saying that everybody in the funeral business is marking things up 600 percent, which is basically what the press release from Mr. Wesselhoft said, which as a matter of fact has a lot of common language from a 2001 release from the Institute for Justice, Baines said.

Some of the figures did indeed come from the Institute for Justice, a Virginia-based organization that describes itself as our nation's only libertarian public interest law firm, Wesselhoft confirmed. But some of the other numbers Wesselhoft provided came from Common Cause Oklahoma and were found in the records from the many times the state law was challenged in court.

After a home and a car, a funeral is the third-largest single expenditure that most consumers will ever have to make, and 75 percent of those who die are buried in a casket. said Wesselhoft. In Oklahoma, there are 495 funeral establishments that serve the families of the approximately 33,000 people who die each year. Of the 588 cities and towns in the state, 359 have no funeral homes and 124 have only one funeral home, Wesselhoft said.

The lawmaker also said he can prove that Oklahoma funeral directors routinely mark up the retail price of caskets by as much as 600 percent above wholesale cost. The average price for a blue stainless steel casket is \$3,900 in Oklahoma, compared to \$1,990 for the same casket online, he said.

Baines objected to the media reporting such figures without personally taking a survey of prices in funeral homes across the state. The association has not conducted such a survey, he said.

Everyone is making such a big deal over this pricing issue, said Baines. Are the prices they're quoting really accurate?

Requiring caskets to be sold by a licensed funeral director protects the consumer in Oklahoma, Baines said.

They are local businesses who pay taxes, who hire employees and who must be responsible and make things right if things go wrong and are regulated by the Oklahoma Funeral Board, Baines said. This old adage of price is everything - many times it's not. If you buy it from out of state, who regulates them? Who's going to be responsible if, for example, the deceased needed an oversize casket and the casket store has already sold you another casket? You've got freight involved, you've got timing issues of the service, of the cemetery.

It may get there on time, it may not, said Baines. Are their prices that they're advertising including freight? Are you really getting what you think you're getting? Are you going to be happy? What if it comes in damaged and you can't have the service because it's got to go back to wherever it came from?

Wesselhoft said customer service issues are a totally bogus argument, adding that Oklahoma is one of only four states with such a law.

If there's a lot of problem with it, then why in Texas and California and New York aren't we hearing a bunch of fallout from bad caskets being shipped to funeral homes? Wesselhoft said.

Baines noted there is a casket store in Oklahoma City that is successfully selling caskets while adhering to Oklahoma's law regarding licensure.

That is a legal operation, he said. Bottom line, they did what was required by our rules to be a legal operation, versus someone who says I don't want to go to school, I don't want to do what everybody else has done, I want you to change the rules for me.

Wesselhoft said a funeral director's license requires a four- year degree and experience in embalming bodies.

All of that just to sell a box that's designed for human remains? Wesselhoft said. That's a ludicrous argument.

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