

# THE BUSINESS OF DEATH

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## What to think about in planning a funeral

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If there's a funeral in your future -- and that covers a lot of us -- there are some things you should know. Based on interviews with government officials, consumer groups and funeral industry insiders, here's information about:

### Prices

"Let's face it," said Verne Lind, who retired last year after a half-century as a funeral director, "most people don't want to think about it (shopping for a funeral). Then when it hits 'em in the face, they're least emotionally able to deal with it. They have to make a lot of decisions pretty rapidly, usually within 24 hours. They're not prepared mentally or emotionally to compare prices. They don't want to shop around."

But shopping for the best prices and service -- and having some idea of what services you are shopping for -- are vital if you want to keep a big funeral bill from adding to your woes when someone close dies.

The law is on your side. Federal Trade Commission rules require funeral homes to quote prices for goods and services over the telephone, and give you price lists for general services and caskets when you show up in person.

In addition, the homes must give you an itemized list of all costs for all services and items you select, including estimates of those that can't be determined at the time.



Don Bradley says the preparation room of his Foothill Cremation & Burial in Placerville is about half the size of such facilities at most other mortuaries in the region. He promises "affordable funeral care" in his advertising.

**Bee photo: Kim D. Johnson**

But the law does allow funeral homes to charge a "non-declinable" fee that is in addition to anything else you select, and covers a lot of vague things like staff costs and general overhead.

It's also recommended that you take someone with you if the deceased was a close relative or friend, as a safeguard against bad decisions or overspending.

"You can't make up for anything you said or didn't say by overspending on a casket," said Lind. "Guilt gets to some people. They think, 'What if, what if, what if.' That is not the time to make up for it. You can't change history."

### **Pre-planning**

One way to avoid sticking relatives and/or loved ones with difficult decisions after your death is to make your own decisions in advance. If your wishes include something more than a little out of the ordinary, you might want to consult an attorney.

Prepaying for a funeral is not necessarily a bad idea -- the American Association of Retired Persons estimates more than 17 million people over the age of 50 have prepaid some or all of their funeral expenses -- but be careful how you do it.

"There's no doubt that making pre-need arrangements is the best solution for all parties concerned," said Darryl Roberts, a longtime funeral director-turned-industry-critic who authored "Profits of Death," " ... (but) the first tip is, never buy from a pre-need counselor who comes to your home. Their first priority is to sell their company's goods and services."

### **Other tips**

Know exactly what is and isn't covered by your plan. One of the nastiest surprises in prepaid deals is for the survivors to find out there are hidden costs not covered by a "guaranteed" plan.

Know where your money is being invested, what happens to the interest it earns, and how accessible it is if you need it for other reasons.

Make sure you're covered if you move or if the company you are contracting with is sold or goes out of business.

Another alternative is to establish a POD (Pay On Death) account with a bank. You put money in it; the funeral home is the beneficiary when you die. The upside is that you have direct control of the money and can cancel it anytime. The downside is the funeral home can keep all the money, even if it's more than your services end up costing.

Finally, you might consider a nonprofit memorial society. These are groups that help their members arrange funerals and cremations. The societies don't provide services, but often have arrangements with funeral homes that offer discounts to society members. But make sure to ask if a group you're considering is a nonprofit group, since some for-profit companies call themselves "societies" too.

### **Caskets**

The casket is the single most expensive item in most funerals, and models come in a dizzying array of materials and prices.

Under federal law, funeral homes are required to point out on their casket price list that "there is no scientific or other evidence that any casket with a sealing device will preserve human remains."

That, however, doesn't stop them or casket manufacturers from offering "protective" coffins that "are designed by the manufacturers to resist the entrance of air, water and other outside elements."

Protective caskets, which can cost from \$200 to \$300 more, can keep air out. But that can lead to the buildup of gases inside, caused by anaerobic bacteria in the body. And that, consumer activists say, can lead to the body exploding. A lawsuit by a consumer group, in fact, is pending in Lake County. It contends funeral homes and casket manufacturers have failed to disclose that sealed caskets may not be a good idea in mausoleums, or that mausoleum workers sometimes break the seals to prevent possible explosions.

Consumers can also supply their own caskets, and casket store prices are often much less than at a funeral home. But funeral directors say privately they will sometimes match the casket stores' prices if asked. In addition, be careful, if you use a casket store, that it knows where and when to deliver.

When Kathy Burnett was making arrangements for her half-sister at an

Auburn funeral home last year, she bought a pine casket at a Sacramento coffin store. Her sister's body, meanwhile, had been shipped to a "service center" in Fair Oaks for embalming. But on the day of Nancie Mans' funeral, something went wrong. When the family showed up at an Auburn church, they were told the casket they ordered had not shown up at the service center in time, and Mans had been placed in a more expensive metal casket. The family was given the option of buying the casket, or having the body returned to the mortuary to be placed in the casket they had originally bought.

"We had to have the body returned and put in the other casket," Burnett said. "It was just a big mess. I hope no one has to go through that."

Of course if cremation is the object, there is no need to worry about an expensive casket. And some funeral homes offer a compromise for those who would like a showier casket for the memorial service, and a less expensive box for cremation.

It's a "rental casket," with a nice hardwood exterior and a removable particle board interior. When the service is over, the interior part is removed for cremation. It costs around \$900.

### **Embalming**

California law does not require bodies to be embalmed, unless they are being shipped "by a common carrier in a non-metal casket." If you don't want it, however, most funeral homes will charge you daily refrigeration fees after the first 24 hours. Embalming charges can range from \$140 to \$500, and the process does little to extend body preservation beyond a few days.

There's no need to pay for embalming if the body is being directly cremated or buried.

### **Cremation**

It's the fastest-growing aspect of the after-death service, and one of the most controversial. In California, the cremation rate is about 45 percent.

Under state law, someone with legal custody of the body must sign a written authorization and a cremation permit -- usually obtained by the funeral home -- must be issued by the county before a body can be

cremated. You can sign your own authorization if you are prepaying for a cremation service.

A casket is not required for cremation, but some kind of combustible container is. That can be a cardboard box. The ashes are put into a plastic bag by the crematory, and you can take them home in just about any container with a lid. Ashes, or "cremains," can legally be kept in a private residence, scattered at sea, scattered in a cemetery scattering garden, or scattered on private land with written permission of the owner.

Cremations can be much cheaper than funerals, but they can also spark problems. Lawsuits are still hovering above the 1997 discovery that a pilot who contracted with funeral homes to scatter more than 5,000 sets of ashes from the air had actually stashed them in a Contra Costa County storage locker. The pilot, Allan Kenneth Vieira, later killed himself.

There have been other problems as well. In January 1998, state investigators found 24 bodies stacked in a Southern California crematory, some of them actively decomposing. Last summer, inspectors discovered a Contra Costa County crematory had delivered ashes to seven families, while the bodies of the loved ones whose ashes they were supposed to be were still in the crematory refrigerator.

"There is a tendency by some in the industry to think, 'Well, we're going to completely destroy this body anyway, so what happens to it until then is not that important,'" said G.V. Ayers of the state Department of Consumer Affairs. "So there can be a tendency toward laxity in how they deal with the dignity of a dead human body. Some of the big cases we have dealt with in recent years have been those kinds of problems."

### **Consumer protection**

Funeral homes are overseen at the federal level by the Federal Trade Commission and at the state level by the Cemetery and Funeral Division of the California Department of Consumer Affairs.

The FTC does not investigate individual complaints, said spokesperson Brenda A. Mack, "because of the sheer volume. There is no way we could get to them all." She said the commission will investigate when there are numerous complaints about a particular home, or a pattern of alleged abuses.

The commission does run periodic undercover sweeps of cities to see if funeral homes are complying with price disclosure laws. But the federal Funeral Rule does not extend to cemeteries.

On the state level, the Consumer Affairs Department took over funeral home regulation in 1996, after the problem-plagued and generally ineffectual state cemetery and funeral boards went out of business.

"The transition from the board regulatory process to doing it within the department has been pretty dramatic," said funeral division chief G.V. Ayers. "One thing the department found after it took over, especially on the cemetery side, was that it was frankly, a mess.

"In the license files, some were severely lacking, some were non-existent. We found files that had uncashed checks in them for license applications and renewals. Just basic things had not been done. So we had to go through a laborious process of reconstructing and re-creating things."

Ayers said the department is acting much more aggressively than the boards did in investigating unscrupulous funeral and cemetery operations. "We actually helped put people in jail," he said, "and that had not been done before. It was unheard of."

Still, the department has only two inspectors to watch 810 funeral homes.

"In the end," he said, "it really comes down to people using the same kind of shopping sense they would in buying a car or some other big purchase."

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