

Paying Final Respects

**Your Rights When Buying
Funeral Goods & Services**



When a loved one dies, grieving family members and friends often are confronted with dozens of decisions about the funeral — all of which must be made quickly.

What kind of funeral should it be?

What funeral provider should you use?

What are you legally required to buy?

Should you bury or cremate the body, or donate it to science?

What are the choices for a green funeral and burial?

What other arrangements should you plan?

How much is it all going to cost?

Each year, people grapple with these and many other questions as they spend billions of dollars arranging funerals for family members and friends.

Many funeral providers offer various “packages” of goods and services. The Federal Trade Commission (FTC), the nation’s consumer protection agency, wants you to know that when you arrange for a funeral, you have the right to buy goods and services separately. You do not have to accept a package that includes items you do not want.

Making Arrangements

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The FTC enforces the Funeral Rule, which makes it possible for you to choose only the goods and services you want or need and pay only for those you select, whether

you are making arrangements when a death occurs or pre-need. The Rule allows you to compare prices among funeral homes.

In brief, the Funeral Rule gives you the right to:

- **buy only the funeral goods and services you want.** You have the right to buy separate goods, like caskets, and separate services, like embalming or a memorial service. You don't have to accept a package with items you don't want.
- **get price information by telephone.** Funeral directors must give you price information on the telephone if you ask for it. You don't have to give them your name, address or telephone number first. Many funeral homes mail their price lists, although they aren't required to; some post them online.
- **get a written itemized price list when you visit a funeral home.** The funeral home must give you a General Price List (GPL) to keep. It must list 16 specific items and services, but it may include others, as well.
- **see a written price list for caskets before you see the actual caskets.** Sometimes, detailed casket price information is included on the funeral home's GPL. More often, though, it's provided on a separate casket price list. Get the price information before you see the caskets, so you can ask about lower-priced products that may not be on display.
- **see a written price list for outer burial containers.** Outer burial containers surround a casket in a grave. They are not required by any state law, but many

cemeteries require them to prevent a grave from caving in. If the funeral home sells containers, but doesn't list the prices on the GPL, you have the right to look at a separate price list for containers before you see them. Look for a range of prices.

- **receive a written statement after you decide what you want, and before you pay.** It should show exactly what you are buying and the cost of each item. The funeral home must give you an itemized statement and the total cost immediately after you make the arrangements. The statement has to identify and describe any legal, cemetery or crematory requirements that require you to pay for any particular goods or services.
- **use an “alternative container” instead of a casket for cremation.** No state or local law requires the use of a casket for cremation. A funeral home that offers cremations must tell you that alternative containers are available, and must make them available. The containers might be made of unfinished wood, pressed wood, fiberboard or cardboard.
- **provide the funeral home with a casket or urn you purchase elsewhere.** The funeral provider cannot refuse to use a casket or urn you bought online, at a local store or somewhere else, and it can't charge you a fee to use it. The funeral home cannot require you to be on site when the casket or urn is delivered to them.



- **make funeral arrangements without embalming.**

No state law requires routine embalming for every death. Some states require embalming or refrigeration if the body is not buried or cremated within a certain time; some states don't require those services at all. In most cases, refrigeration is an acceptable alternative. Services like direct cremation and immediate burial don't require any form of preservation. Many funeral homes have a policy requiring embalming if the body is to be publicly viewed, but this is not required by law in most states. Ask if the funeral home offers private family viewing without embalming. If some form of preservation is a practical necessity, ask the funeral home whether refrigeration is available.

Considering Costs

Typically, the most expensive items in a full-service funeral are the casket and the funeral home's fee for the basic services of the funeral director and staff. Compare prices before you decide on a casket and funeral home; you may find wide variation in pricing. For example, you may want to look at lower-priced caskets and outer burial containers offered by local providers or online retailers. The advertisements for some caskets or outer burial containers may claim the products will delay decomposition of human remains for a long time. But no casket or container, regardless of cost, can do that, and the Funeral Rule prohibits any claims that it can.

If you don't have a viewing, you can avoid charges for embalming, "other preparation of the body," and for the viewing. If the funeral home you choose requires

embalming, it must explain the reason for the requirement in the written statement it gives you immediately after you make the funeral arrangements.

Immediate burial and direct cremation usually are the least expensive arrangements. If you choose direct cremation, ask if the price includes a crematory fee. If you want other services, including the use of staff and facilities for a memorial service, the funeral home may charge an additional fee.

Veterans, their immediate family members, some Public Health Service workers, and some civilians who provide military-related service are entitled to free burial in a national cemetery with a grave marker. The family still is responsible for all funeral home expenses, like the funeral ceremony or memorial service, and transportation to the cemetery. Many states also have low-cost cemeteries for veterans.

In most states, you don't have to use a funeral home to conduct a funeral. It may be done by a religious or other organization, or by the family. You may want to consider a "green burial" without embalming, a metal casket or grave liner.

Pre-need Arrangements

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Many people say that meetings with a lawyer about preparing or updating their will, living will or powers of attorney (including a durable power of attorney for health care) — or conversations with a financial advisor about investment strategies for retirement — prompt them to think about making funeral arrangements pre-need.

Planning your own funeral arrangements is one way to ease the burden on your family. You can shop and compare goods and services without time constraints, and make your own decisions. As you shop, consider the answers to these questions:

- What are you paying for? Are you buying only merchandise, like a casket or vault, or funeral services as well?
- What happens to the money you paid? States have different requirements for handling funds paid in advance for funeral services.
- What happens to the interest income on money you prepay?
- Are you protected if the firm you dealt with goes out of business?
- Can you cancel the contract and get a full refund if you change your mind about the items you've bought or the arrangements you've made?
- What happens if you move or die while away from home?

Attorneys, financial consultants and the following organizations can be good sources of information about planning funerals.

AARP

601 E Street, NW
Washington, DC 20049
Toll-Free: 1-888-687-2277

www.aarp.org

Council of Better Business Bureaus

3033 Wilson Blvd. Suite 600
Arlington, VA 22201
1-703-276-0100

www.bbb.org/us/

Cremation Association of North America

499 Northgate Parkway
Wheeling, IL 60090-2646
1-312-245-1077

www.cremationassociation.org

Funeral Consumers Alliance

33 Patchen Road
South Burlington, VT 05403
1-802-865-8300

www.funerals.org

Funeral Ethics Organization

87 Upper Access Road
Hinesburg, VT 05461
1-802-482-6021

www.funeraethics.org

Green Burial Council

1601 North Sepulveda, Suite 152
Manhattan Beach, CA 90266
Toll-Free: 1-888-966-3330

www.greenburialcouncil.org

International Cemetery, Cremation and Funeral Association

107 Carpenter Drive, Suite 100
Sterling, VA 20164
Toll-Free: 1-800-645-7700

www.iccfa.com

Jewish Funeral Directors of America

107 Carpenter Drive, Suite 100

Sterling, VA 20164

Toll-Free: 1-888-477-5567

www.jfda.org

National Funeral Directors and Morticians Association

6290 Shannon Parkway

Union City, GA 30291

Toll free: 1-800-434-0958

www.nfdma.com

National Funeral Directors Association

13625 Bishop's Drive

Brookfield, WI 53005

Toll-Free: 1-800-228-6332

www.nfda.org

Order of the Golden Rule

3520 Executive Center Drive, Suite 300

Austin, TX 79731

Toll-Free: 1-800-637-8030

www.ogr.org

Selected Independent Funeral Homes

500 Lake Cook Road, Suite 205

Deerfield, IL 60015

Toll-Free: 1-800-323-4219

www.selectedfuneralhomes.org



Solving Problems

If you have a problem concerning funeral matters, it's best to try to resolve it first with the funeral director. If you are dissatisfied with the funeral services you receive, the Funeral Consumers Alliance offers advice on how to resolve a problem. You also can contact your state or local consumer protection agencies. Check your telephone directory for phone numbers or visit www.naag.org for a list of state Attorneys General.

In addition, you can file a complaint with the FTC. The FTC works to prevent fraudulent, deceptive and unfair business practices in the marketplace and to provide information to help consumers spot, stop and avoid them. To file a complaint or get free information on consumer issues, visit consumer.ftc.gov or call toll-free, 1-877-FTC-HELP (1-877-382-4357); TTY: 1-866-653-4261.

Watch a video, *How to File a Complaint*, at consumer.ftc.gov/media to learn more. The FTC enters consumer complaints into the Consumer Sentinel Network, a secure online database and investigative tool used by hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

For More Information

Go to ftc.gov/funerals for more information and fact sheets to read, print or email. The website has detailed information including a price checklist, a glossary of terms and a description of services to help you plan and shop for arrangements.



Federal Trade Commission
consumer.ftc.gov
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