

Plain Talk

From the Funeral Consumers Alliance of Maryland & Environs (FCAME)

Trust fund created for victims of funeral prepayment fraud in Maryland

Consumers in Maryland who prepaid for funeral services but suffered from theft, embezzlement, fraud or forgery of their "pre-need" payments on or after January 1, 2010, may get some of their funds back with the creation of the Family Security Trust Fund.

People seeking to recover "pre-need" money allegedly stolen by a licensed mortician, funeral director, apprentice mortician or funeral director, or unlicensed employee of a licensed funeral establishment in Maryland must submit all claims in writing to the Maryland State Board of Morticians and Funeral Directors in Baltimore.

Each claim must state all relevant facts, the amount of money lost, and include appropriate documentation or other evidence that supports the claim. The amount of loss claimed may be only for the actual monetary loss suffered and not include any punitive or other damages.

The Board will review all claims that a licensee defrauded the public and stole pre-need money, may conduct investigations of claims, and when appropriate, will schedule hearings.

The burden of proof will be on the consumer at any claim hearing.

When guilt has been determined, the Board will order full or partial payment of the

claim from the Family Security Trust Fund.

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Mortuary Price Survey underway; Volunteers needed to help the effort

FCAME is updating its Mortuary Price Survey this year. The process involves contacting funeral establishments across the area we serve - Maryland, Delaware and the District of Columbia - to request copies of their General Price List (GPL). Then we will extract representative data allowing simple cost comparisons, and compile it all into one report.

Some establishments will comply with our request to mail or fax us their GPL. Others will not. However, all funeral establishments are required by law to give a copy of their GPL to anyone who requests one in person.

Volunteers are needed to visit funeral establishments in person to request a copy of their price list. Please let us know by email (info@mdfunerals.org) or phone (301-564-0006) if you would be willing to visit one or more funeral establishments in your geographic area that do not respond to our request by phone or mail to obtain their GPL.

We will also need help entering the data into the survey database and cross-checking the data entry, which will require a computer and email access.

The Mortuary Price Survey is one of the most helpful services FCAME provides. Obviously, the more funeral establishments we have information for, the more useful our survey will be. Please consider lending a helping hand to help produce this wonderful resource. It will mean a great deal to anyone who needs to arrange funeral services - which will be most of us someday.

State official discusses importance of body donation

by Brian Ditzler

The value of gifting one's body for training physicians and other medical professionals should not be underestimated, according to Ronald Wade, director of the Maryland State Anatomy Board and the Anatomical Services Division of the University of Maryland School of Medicine.

During his talk at the FCAME annual meeting in November, Ronn noted that medical students' encounters with the human body in the laboratory are their first opportunity to apply what they have been learning about in class.

Fifteen hundred bodies are donated to the Maryland State Anatomy Board every year, including 200 to 300 that are unclaimed. "The state has the right to use unclaimed bodies to advance the public interest," explained Ronn.

Bodies are used in medical schools for anatomy classes as well as for clinical training such as practicing surgical techniques or implanting medical devices. They are also needed for training dentists, emergency medical technicians, paramedics, nurses, physical therapists and morticians.

In addition, research on various diseases is undertaken on bodies of people who suffered from those maladies.

There are 70,000 body donation forms on file with the Maryland State Anatomy Board. When people who have signed forms to donate their body in Maryland die in another state or country, Ronn will arrange for the body to be used there for institutional

medical education, training or research study.

Because there is great interest in body donation in Maryland, the State Anatomy Board requires application and acceptance in advance of intent to donate a body.

The Board will accept bodies from which organs have been donated, and there are no restrictions based on medical diseases, Ronn said. However, medical schools may have more restrictions on the bodies they will accept.

Must be at least 18

Anyone 18 or older may sign the appropriate form to donate their body to medical science if he/she is of sound mind. Family members and authorized health care agents may not donate another person's body to the Maryland State Anatomy Board, but may do so directly to medical schools in Maryland and the District of Columbia .

There are no medical schools in Delaware to which bodies may be donated, but the Maryland State Anatomy Board supports Delaware's need for anatomical training in the health occupations, Ronn said.

The Maryland State Anatomy Board and medical schools take donated bodies immediately after death so there can be no funeral with the body present.

In most cases, the cremated ashes of the donated bodies are returned to the donator's family or other designated person within eighteen months.

It is best to make arrangements for anatomical gifting in advance, but it may be possible to make arrangements with a medical school after a death. Regardless, it is important to make arrangements before calling a funeral director.

The Maryland State Anatomy Board has contracted with four funeral services around the state to retrieve bodies and take them to the Board's facility in Baltimore. How a body will be retrieved and delivered to a medical school will need to be worked out when the school is contacted.

Ronn has been director of the State Anatomy Board in Maryland for more than 30 years and has helped set up similar boards in other countries. He is also a licensed mortician and was a medic in the U.S. Air Force in Vietnam.

State Board and area medical schools that seek body donation

George Washington University School of Medicine (Department of Anatomy) – 202-994-3511

Georgetown University School of Medicine (Department of Cell Biology) – 202-687-1219

Howard University School of Medicine (Department of Anatomy) – 202-806-9869

Maryland State Board of Anatomy - 1-800-879-2728

Uniformed Services University of the Health Science (USUHS) – 301-295-3334.

Choosing the 'consumer advocate' model over the 'volume discount' one

One major question each local chapter of the Funeral Consumers Alliance must decide is whether it should secure volume discounts for its members at a few funeral providers in their area.

The need for cooperative agreements with funeral homes was great back when funeral homes rarely itemized their services individually so consumers were not able to purchase just the services they wanted.

Today's picture is different. Thanks to the "Funeral Rule" which the Federal Trade Commission created in 1984, every funeral home now must provide their general price list to anyone who asks for it.

FCA affiliates like ours can create side-by-side comparisons of local price lists that consumers

can use to better determine which funeral homes and services meet their particular budget and preferences.

The Funeral Consumers Alliance of Maryland & Environs (FCAME) feels it can best serve the interests of consumers in our area by providing a full range of information - including the results of periodic funeral price surveys - to enable individuals to make their own informed choices about funerals, cremations and other options for after-death services.

FCAME also advocates for fair practices in the funeral industry through national and state legislation and regulation.

FCAME believes there are distinct advantages in choosing the "consumer advocate" model over the "volume discount" one.

- Informed consumers know what questions to ask when visiting a funeral home or crematory, and are able to compare prices more easily. As a result, more affordable solutions can be selected that are tailored to each person's unique circumstances vs. having to use a group package that won't be appropriate for everyone.
- By maintaining a neutral perspective towards all funeral providers, FCAME is not beholden to any commercial interest and can be recognized as a credible source of unbiased information.

In summary, FCAME joins with an increasing number of FCA affiliates in deciding our primary focus should be on helping all consumers be better informed on how to obtain dignified and affordable after-death services for our loved ones.

Fund for victims of funeral prepayment fraud

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Each individual or funeral establishment that the Board finds responsible for the misconduct that gave rise to a claim will have their license suspended and be expected to reimburse the trust fund for the amount paid out to the consumer plus interest.

The Family Security Trust Fund began accumulating monies in the fall of 2009 when all funeral establishments in the state were required by law to begin paying a special \$375 annual fee into the fund. Once the fund has reached the million dollar mark, funeral establishments will be required to pay a fee only if the fund balance falls below \$1 million.

The Board administers the Family Security Trust Fund with the assistance of a five-person special advisory committee for the trust fund composed of three members of the Board and two members designated by funeral director trade associations in the state.

The advisory committee drew up regulations for the administration and claims procedures of the fund which were submitted to the Board for approval. The committee will meet at least twice yearly to provide non-binding advice to the Board on all fund matters except those relating to individual claims.

The Family Security Trust Fund was enacted in July 2008 after House Bill 1090 was passed unanimously by both the Maryland State General Assembly and the Senate, and was signed into law by the Governor.

Plain Talk is the newsletter of the Funeral Consumers Alliance of Maryland & Environs, the volunteer-run regional chapter of a national non-profit consumer education and advocacy organization, the Funeral Consumers Alliance (FCA). FCAME serves residents in Maryland, DC and Delaware.

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Did you tell us if you want to remain a member of FCAME?

You may remember we asked you a similar question in our last newsletter. If you didn't reply yet, please tear off this back page (with your mailing address) and send it to us in the envelope provided, or email us at info@mdfunerals.org. If you have already replied, you do not need to do so again.

Why are we asking you to do this?

It's been many years since we updated our membership listing, and we need to know if you still want to remain a member of FCAME.

The cost of postage is high and continuing to increase, and with our very limited resources, we want to mail newsletters only to those who want to receive them.

What do you get for being a member of FCAME?

- Information and advice that enable you to make more informed choices when planning funerals, memorial services, cremations and other options for after death.
- Results of periodic price surveys of the local funeral industry in MD, DC and Delaware mailed to your home.

- Periodic newsletters with current information and advice that supplement all that we provide on our website, www.mdfunerals.org
- An invitation to our annual meeting.
- You're part of the regional chapter of a national non-profit consumer education and advocacy organization, the Funeral Consumers Alliance.
- We advocate for fair practices in the funeral industry through state and national legislation and regulation.
- We encourage an initial contribution of at least \$25 to join FCAME, and a \$25 donation every other year to help support FCAME as well as our national organization, FCA.

If you haven't donated in a while, please consider enclosing a check in the envelope when you mail us this back page.

Before you mail in this page, please circle any of the following areas in which you might be able to donate some of your time. You will find working with us to be interesting and rewarding.

- price survey
- newsletter
- advocacy
- outreach