



Funeral Consumers Alliance of the Finger Lakes

Spring 2009 Newsletter

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ANNUAL MEETING ANNOUNCEMENT

The FCA of the Finger Lakes will meet Sunday, April 19, 2009, at 2:00 PM in the auditorium at Kendal of Ithaca, 2230 North Tripphammer Road, Ithaca.

Speaker and subject

Diane Piekut, Ph.D., Director of the Anatomical Gift Program at the University of Rochester Medical Center:

"The Anatomical Gift Program at

the University of Rochester Medical Center"

The public is invited. Bring friends. Park in either the north or south parking area.

Alliance Business

A minor change needed in the Bylaws

Members will be asked to vote to permit more than seven people to serve on the Board of Directors. This change will ensure that Alliance programs continue during absences of Board members.

The Bylaws require that a copy of the proposed amendment accompany the notice of the meeting. The section to be revised is shown below. The two words "at least," shown in boldface in the third line, are to be inserted.

Article IV. Election of Officers and Board of Directors

Section 1. The governing board of the Alliance shall be the Board of Directors, which shall be composed of the four officers and **at least** three other directors elected by the voting membership. The officers shall be President, Vice-President, Secretary and Treasurer. Only members shall be eligible to serve on the Board of Directors.

Election of Officers and Board of Directors

A nominating committee will present the following for 1-year terms as officers or 3-year terms as Directors.

Officers: President, Barry Adams

Vice-president, Milton Zaitlin

Secretary, Catherine Darrow

Treasurer, Dominick Paolillo

Directors for 2009-2012: Robert Cotts, Mary

Eldridge, Charles Elliott, Carol Hardy,

Wayne Sinclair.

Additional nominees may be presented, as the search for candidates was still in progress when the *Newsletter* went to press.

Directors leaving the Board are Beverly Laforse and Donna Scott, whose resignations reflect unforeseen circumstances. We wish them well.

Accomplishments and Challenges of the Past Year

The Alliance has become more active in public service and as a source of funeral-planning information. Since early 2008 the Board of Directors has:

- Made presentations on funeral planning at The City Club, Hospicare, Lifelong (three times), McGraw House, and Newfield Senior Citizens.
- Prepared two letters on funeral planning and related issues that were published in *The Ithaca Journal*.
- Distributed information on opportunities for cost-free anatomical donation to all members whose plans call for body donation.
- Revised the Alliance brochure to include more information about anatomical donation.
- Released two new documents for end-of-life planning: *Funeral Planning Topics* and *Death Care Declarations*.
- Arranged for links to the Alliance website from the sites of Hospicare, Human Services Coalition, Lifelong, and Tompkins County Longterm Planning Services.
- Placed or replaced copies of our brochure in senior living facilities, the Tompkins County Library, Cooperative Extension, Cayuga Medical Center, and Hospicare, among other places.
- Connected with a chaplain at Cayuga Medical Center, who now utilizes our information along with other sources when helping families deal with a death or impending death.
- Provided information, advice, or assistance to more than 130 individuals, including over 70 nonmembers, some living outside our service region.
- By sending letters from members to NYS legislators, worked to prevent passage of legislation that would legalize the sale of "packages" of goods and services by funeral homes. These "packages," which are legal in many other states, include more items and more expensive goods than many customers would ordinarily buy, and so tend to inflate funeral costs. Up to now, funeral homes in New York State are required to itemize prices of goods and services. The Alliance will continue working against the sale of funeral "packages." However, the chance of success has diminished because the package bill was reported out of committee during the last legislative session.
- Also by sending letters to legislators, supported a cemetery customers' bill of rights. The bill did not advance from committee, but it is expected to be introduced again in the 2009 session. The FCAFL will continue to advocate for it.

- Supported the national Funeral Consumers Alliance in its startup of a much improved website. News and opinion on funeral consumer issues, resource documents, a directory of affiliated organizations, and answers to frequent questions are there. Go see what's available at www.funerals.org.
- Improved the Alliance website (www.imsfca.org) by adding more resource documents and the Alliance brochure. If you want a document or miss a newsletter because of absence from home, you can view it on line or download it from the website.
- Became an all-volunteer organization. This change was unplanned, as we were not able to refill the paid position of Executive Secretary. Responsibility for member services and other tasks is now spread among members of the Board of Directors.
- Completed the legal transition from Ithaca Memorial Society to Funeral Consumers Alliance of the Finger Lakes, Inc. The amended certificate of incorporation, duly approved by the New York State Attorney General's office and a judge of the NYS Supreme Court, is on file with the NYS Secretary of State.
- Positioned itself to be eligible for tax-exempt status under Section 501(c)(3) of the U.S. Internal Revenue Code. Public education and service functions of the Alliance, as well as free membership, are important for approval of this status. An application to the IRS for tax-exempt status is pending. When it is approved, donors to the Alliance will be able to treat their gifts as tax deductible.

Challenges

- Member recruitment is a perennial problem. Many people who request information and membership materials procrastinate about enrolling and then fail to do it. So we say again, if you think the FCA of the Finger Lakes provides worthwhile information and services, then tell your friends about it, and call their attention to the information and enrollment materials at the Alliance website.
- Telephone listings for the FCA of the Finger Lakes for 2009–1010 are obsolete or erroneous, depending on the directory that one consults. This situation persists because our telephone provider Verizon mishandled requests for changes and corrections. Data from

Verizon are used for other directories. The Board will work toward directory corrections again this year.

- Print media that serve the Tompkins County area were not interested in publishing an opinion piece entitled, *Everyone Ought to Have Advance Plans for Funeral Needs*. Perhaps the editors thought that too few people would be interested. We will run the piece in the next Newsletter.

The Board hopes that some members reading this account will want to get involved in programs and activities of the Alliance. If you do, please contact any member off the Board.

Prepayment—revisited

The Fall 2008 *Newsletter* contained an article entitled *Proceed with caution when considering prepaid funeral plans*, in which the following statement appeared. "In New York State a funeral director selling a pre-need contract must put the funds into an irrevocable trust." The statement should have read "... into an interest-bearing account." The article also referred to the failed company, National Prearranged Services (NPS), as an insurance company. We should have stated that NPS sold prepaid funeral plans and bought life insurance policies to fund them. The errors, which we regret, were brought to our attention by funeral directors who were unhappy about the article.

The Alliance's position on prepayment is that it should be considered if a person expects to qualify for Medicaid or to reside in the same area permanently, or has no relative or friend who will be responsible for the funeral arrangements. Prepayment can be troublesome if the person moves to another city or state or dies in another state or country, or the funds do not fully cover the expenses, or the funeral home goes out of business.

The funeral directors who see the FCAFL *Newsletter* want readers to know how *they* view the linked issues of planning and prepayment for funeral arrangements. We thought you would like to know too, so we invited them to submit an article of about the same length as that on prepayment in the Fall 2008 *Newsletter*. The following article, by the Tompkins County Unified Funeral Directors Association, is printed as submitted.

The Funeral Consumers Alliance of the Finger Lakes, Inc. is a non-profit, public-service organization, founded in 1958 as the Ithaca Memorial Society, that promotes advance planning of funeral arrangements and consumer education and protection with respect to funeral-related issues, and contracts with funeral homes for simple, dignified, reasonably priced services for its members. Membership is free and open to all. The FCAFL is guided by a volunteer Board of Directors and is a member of the national Funeral Consumers Alliance, Inc., which has more than 100 affiliates. The Newsletter is published twice a year and is freely available.

The Board of Directors, 2008–2009: Wayne Sinclair, President; Milton Zaitlin, Vice President; Catherine Darrow, Secretary; Dominick Paolillo, Jr., Treasurer; Barry Adams (to 2011), David Bandler (to 2010); Beverly Laforse (to 2009); Donna Scott (2008). Advisor: Philip S. Winn.

Funeral Homes Offer No-Cost Pre-Arrangement Counseling

Consumers in New York State have available through licensed funeral professionals the ability to prearrange and when desirable pre-pay their funeral arrangements. This service is available to all consumers regardless of the simplicity **or** extent of their final wishes. Funeral providers are not allowed to charge for this service. Consumers who use these services have safeguards provided by NYS laws, rules and regulations pertaining to funeral service. All funds received by a funeral professional must be deposited in an interest earning account that is backed by the full faith and strength of the United States government; meaning that consumers have the deposit insurance provided by the FDIC and its sister acronyms of the credit unions etc. Should a consumer move to another locality or simply desire to change funeral providers, their account is transportable and in all cases refundable subject to the laws governing such deposits. There are no per transaction fees to be paid and generally speaking the consumer will earn a favorable interest rate on their deposit. Funeral firms do not receive a commission on these deposits. Funds must be 100% trusted. Funeral insurance is not legal in NYS.

In addition to receiving all of the above services, the consumer is entitled to any necessary communications with their local Medicaid office, Social Security Administration and federally funded housing programs if needed. Each account holder receives an annual statement and a 1099-INT form to be included in their tax filing.

By making pre-arrangements, a funeral service consumer is able to have the pride of knowing that they have arranged and paid for this service as well as relieving their loved ones of the burden of completing at-need funeral arrangements. Funeral expenses can be paid rapidly without the necessity of loved ones needing to quickly make payment or arrange for credit. For funeral consumers each of the above benefits creates a win-win situation.

All funeral firms currently contracting with the Funeral Consumers Alliance of the Finger Lakes offer these services. Consumers can benefit by prearranging and if desirable, pre-paying for their funeral service. Your funeral provider is the professional in this area.

New Planning Document From FCAFL

Some of the people who contact the Alliance for information know little about funeral matters and do not know what questions to ask. The following outline was created to help people organize information for questions and planning.

Topics for Funeral Planning

Arrangements desired

Cremation?

Burial?

Donation of body to a medical organization?

Ceremony before final disposition, or later, or not at all?

What sort of ceremony? Religious, secular, joyful celebration of a life?

Funeral services and goods desired

Simple arrangements, or with optional extras?

Funeral home to be involved in ceremony, or not?

Burial plot?

Natural burial or conventional burial?

Type of casket or container

Burial accessories (outer receptacle, urn, etc.)

Monument?

Acceptable price range

Average cost of a funeral in the USA is over \$7000 plus any cemetery expenses. The total is often more than \$11,000, but most expenses can be minimized or avoided.

Getting price data

Prices vary from one funeral business to another. The FCA of the Finger Lakes has price data. You can also get data by visiting funeral homes and obtaining their general price lists.

Is your family informed of your plan and comfortable with it?

Have you spoken with them in person?

Have you informed them where to find important records?

Set aside funds to pay funeral expenses.

Pay-on-death account in a bank — can be any amount, but it is available to creditors or Medicaid.

Burial fund in a bank—up to \$1500 is not available to creditors or Medicaid.

Irrevocable trust that can only be used for funeral expenses—can be any amount, and is not available to creditors or Medicaid.

Life insurance. Pay for a policy that will be owned by the person who will pay your funeral bill.

Agreement with family that one of them will pay for the funeral and recoup expenses from the estate.

Pre-pay a funeral home? It makes sense when:
a person expects to reside in the same area permanently.

a person expects to qualify for Medicaid.

a person has no relative or friend who will be responsible for the funeral arrangements.

Money prepaid to a funeral home in New York State is protected, but the arrangement can be troublesome if:

the person moves to another city or state.

the person dies in another state or country.

the funds do not fully cover the expenses.

the funeral home goes out of business.

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Home Funerals Gaining in Popularity

But they are difficult to arrange in New York State.

New York requires the intervention of a licensed funeral director in the final disposition of the dead. To be sure, most people would prefer to have help caring for their dead, but shouldn't they have a choice in the matter?

Joshua Slocum, Executive Director of the national FCA, wrote in its on-line news page in January: "Most of us are so distant from the realities of death, we've forgotten that our great grandparents regularly waked the body at home, and an undertaker was a helper, not a funeral *director*. But ... there's been a surprising resurgence of interest in private, family-directed funerals. ... In 2004, Public Television aired an hour-long documentary on the topic.

"But families in seven states (CT, IN, LA, MI, NE, NY, UT) face legal obstacles. Astonishingly, those states have seen fit to require families to engage a funeral home for everything from filing the death certificate, to transporting the casket, to getting the body released from the hospital. Whether the family wants to hire a funeral director or not, whether they can afford to pay one or not."

The March, 2009 issue of *Smithsonian* has a first-person article on this subject. If you don't usually see the magazine, see "The Surprising Satisfactions of a Home Funeral" at www.smithsonianmag.com.

Friends and Loved Ones Remembered

Donations received since October 1, 2008, have included those honoring the memories of:
Harry R. Ainslie, Henry Aron, Nancy Bent, June Drew, Dora Flash-Bourne, Robert Foote, Henry P. Goode, Donna Hall, Margaret Harding, Joycelyn R. Hart, Margaret Hein, Elba Magdich, Jane W. Rikert, Sarah Saikkonen, Arnold Wilhelm.

We appreciate your \$\$ help!

A self-addressed donation envelope is enclosed with this newsletter.

Contributions are used exclusively for services to members and the public. They are essential for the Alliance's operation and are its only source of income.

All donations are gratefully acknowledged.