



# Funeral Consumers Alliance of the Finger Lakes

## Fall 2007 Newsletter

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### Funeral Consumers Alliance of the Finger Lakes Replaces Ithaca Memorial Society

The new name and other major changes proposed by the Board of Directors in the Spring 2007 Newsletter were voted by members at the annual meeting on May 6. The meeting site was the First Presbyterian Church of Ithaca, to which the FCAFL is grateful for making facilities available. The meeting featured a fine presentation by Carl Leopold on the emerging topic of natural burial, followed by elections (see box on page 2) and action that expanded the mission and functions of the organization.

The rationale for the new name was that it communicates the function of the organization—to serve the interests of funeral consumers—whereas the previous name did not. The FCAFL serves members and the public in the southern Finger Lakes area by promoting advance planning of simple, dignified funeral arrangements and publicizing funeral practices and costs. The new name also conveys our affiliation with the national Funeral Consumers Alliance (FCA). Many other memorial societies affiliated with the FCA have changed their names similarly in recent years.

Four additional changes in the Bylaws were approved by the members. Two changes (in italics below) appear under purposes of the Alliance:

- a. To promote the dignity, simplicity and *humane value* of funerals and memorial services. The previous purpose (a) had mentioned spiritual values, which were never a direct concern of the IMS.
- e. *To promote consumer education and protection with respect to funeral-related issues.*

The Bylaws had not previously mentioned consumer advocacy or public service and education. Members have been able to make advance plans and obtain discounted prices for funeral arrangements under contracts between the IMS and area funeral directors. In recent years the IMS Board has advocated for or against funeral-related state legislation. Now consumer advocacy will be a primary function of the organization. The FCAFL website, the Newsletter, public meetings, and local media will be utilized. In addition, the FCA of the Finger Lakes will support initiatives of the national organization. The Board hopes that the emphasis on consumer education and service, as well as advance planning, will enhance recruitment of new members.

A statement clarifying the relationship between officers' terms and other directors' terms was inserted in the section of the Bylaws about officers' terms (See sentence in italics in the following paragraph).

*"The officers of the Society shall serve for a term of*

*one year. An officer's term supersedes any term as a director. An officer may not serve for more than five consecutive terms without a one-year break."*

It is now clear that an officer completing his or her term leaves the Board unless elected to a new term as an officer or director.

Beginning in 2008, the Alliance's annual meetings will be held in April. The change from May to April, admittedly a trivial matter, may possibly result in greater attendance at annual meetings. Sunday afternoons in April tend to be more conducive to indoor activities, and therefore to meeting attendance, than are Sunday afternoons in May.

The above-noted changes, together with authorization for the Board to adjust wording throughout the Bylaws to be consistent with voted changes, were approved unanimously.

The single issue that generated disagreement and a split vote was the proposal to eliminate the fee for membership. After discussion the proposal was affirmed by a greater than 2:1 majority. Prospective members will now be informed that membership is free and open to all, that the organization is sustained only by donations, and that a donation to offset the cost of processing a new membership would be welcome. (The membership fee has been \$30 in recent years.) Numerous other FCAs throughout the USA subsist only on donations, and members of this Alliance have been generous heretofore, so the absence of membership fees is not expected to cause a problem.

Any member who wants a copy of the revised Bylaws can obtain it by contacting the Alliance office. The Bylaws will also be posted at the FCAFL website.

The changes voted by the members this year resulted in the need to amend the nearly 50-year-old certificate of incorporation of the Ithaca Memorial Society. The amended certificate will show the new name and the current purposes of the organization.

The restated purposes will include those in the Bylaws but will begin with:

*"To promote consumer education and protection with respect to funeral-related issues."*

and end with

*"To function exclusively for charitable and educational purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal tax code.)"*

*(continued on page 2)*

(continued from page 1)

These stated purposes will be important when the FCA of the Finger Lakes applies for federal tax-exempt status under section 501(c)(3). Such status will allow those who donate to the FCAFL to deduct the amounts from their taxable income. At present, although the organization is tax exempt, donations to it are not deductible.

An attorney is handling our application for an amended certificate of incorporation. Until the new certificate is in hand, the FCAFL is operating under a Certificate of Assumed Name.

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### **A new 3-year contract with area funeral directors**

Negotiation of a contract between the FCA of the Finger Lakes and each of 11 funeral directors was completed in mid-October. The bargaining agent for the funeral directors was the Tompkins County Unified Funeral Directors Association. The contract has four new elements,

1) Three-year term. Previous contracts have been negotiated at 2-year intervals.

2) Higher prices—3% increase per year above the 2006–2007 price for each type of service, as shown in the new FCAFL brochure,

3) Agreement that funeral directors will obtain certified copies of death certificates for FCAFL customers who request them, but only if the copies can be obtained at the time a funeral director files the death certificate. Customers pay for the copies.

4) A paragraph establishing FCAFL ownership and privacy of members' records held by funeral homes. These records remain the property of the Alliance and must be returned upon demand or upon termination of the continuing agreement. Neither the members' names nor their personal information may be used or made available by a funeral home, other than to carry out a member's funeral plans, without the written consent of the Alliance.

The negotiations were unexpectedly difficult because the funeral directors did not want to be required to provide any service that they had not provided under previous contracts. Those contracts were ambiguous about death certificates. The FCAFL Board believed

that funeral directors had been obtaining certified copies of death certificates for IMS customers as a contractual obligation, but the funeral directors had viewed this service as a courtesy, not an obligation. The new contract resolves the ambiguity about death certificates.

The funeral directors made another point. Because FCAFL customers buy limited services, usually at discounted prices, they should not expect, and the funeral directors will not provide, courtesies such as returning to the Health Department for a certified death certificate. Customers ordering from the funeral homes' General Price Lists would receive such courtesies.

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### **Does FCAFL membership ensure bargain prices at area funeral homes?**

The short answer is "Not always." We know because we checked. During the run-up to contract negotiations, members of the FCAFL Board fanned out across our service area and obtained General Price Lists (GPLs) from all but one of the participating funeral homes.\* Then from each GPL we calculated the list price of services and materials equivalent to each of the service types that FCAFL members elect—direct cremation, direct burial, etc. The findings made clear that the prices of funeral services available under the FCAFL contract are no great bargain unless a member chooses a relatively high-priced participating funeral home.

Here are some details. For four of the five service types available through membership in the Ithaca Memorial Society in the spring of 2007, the same service could be ordered a la carte from the GPL of at least one funeral home in the area for less money than a customer would have paid under terms of the IMS contract (see table on page 3). Therefore, the main value of IMS membership (now FCAFL membership) is intangible: the satisfaction of putting a plan for funeral arrangements in place—a plan that can easily

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\*Some of the funeral homes refused to send us their GPLs in the post-paid addressed envelopes that we provided, so we drove to those businesses to obtain the lists.

The **Funeral Consumers Alliance of the Finger Lakes** is a nonprofit organization, founded in 1958 as the Ithaca Memorial Society, that promotes advance planning of funeral arrangements, publicizes information for funeral consumers, and contracts with area funeral homes for simple, dignified, reasonably priced services for its members. Membership is freely available to all. This Alliance, guided by a volunteer Board of Directors, is a member of the national Funeral Consumers Alliance, headquartered in South Burlington, Vermont.

**Board of Directors, 2007–2008:** President, Wayne Sinclair; Vice President, Milton Zaitlin; Secretary, Melody Johnson; Treasurer, Dominick Paolillo, Jr.; David Bandler (to 2010), Catherine Darrow (to 2010). Advisors: Jean Warholic, Philip S. Winn. Linda Fetherbay is the Executive Secretary and manages the Alliance office and Newsletter. The Newsletter, published twice a year, is freely available. Printing is by A New Beginning Press; mailing is by Challenge Industries of Ithaca.

**Comparison of service prices available under the Ithaca Memorial Society contract to those available a la carte from funeral homes' General Price Lists in 2007.**

Funeral provider	Direct cremation	Direct burial	Ceremony & cremation	Ceremony & burial	Body donation	Average across types
All under IMS contract, 2006-2007	\$1054	\$1955	\$2288	\$2288	\$970	\$1711
From GPL						
Lansing	1475	<b>1250</b>	2179	<b>1954</b>	<b>920</b>	<b>1556</b>
Bangs	1140	2525	<b>1670</b>	3055	933	1865
Zirbel	1695	1850	2360	2515	1025	1889
Vedder & Scott	2000	1750	2790	2540	1075	2031
Wagner	<b>1070</b>	3495	1710	4135	1180	2318
Ness-Sibley	2175	2175	3015	3015	1575	2391
MacPherson	1880	2395	2500	3075	2290	2428
Herson	1690	2950	2250	3510	2150	2510
Perkins	2025	2675	2970	3245	2345	2652
Holly-Keck	2200	3100	2810	4010	2230	2870
Allen-Manzer	no data	no data	no data	no data	no data	no data
Average	1735	2417	2425	3105	1572	2251

Funeral homes are arranged from least to most expensive for the array of service types.

Boldface data are the cheapest prices found for each service type.

Prices for service types II through IV include minimal (“alternative”) containers supplied by the funeral home.

Prices for service types III and IV were obtained by adding four items to the price of direct cremation and direct burial respectively: custodial care for one day, facilities for an in-house funeral, supervision of an in-house funeral, and the cheapest guest register listed.

be executed by a member's survivors, provided that money has been set aside for the purpose.

We also checked funeral prices in some larger upstate cities for comparison with prices in the southern Finger Lakes area. The unsurprising result was, as a Board member bluntly put it, that "it's cheaper to die in Buffalo" [or Rochester]. Cities larger than Ithaca tend to have a greater range of prices—both lower and higher—for a given type of funeral service. Competition in cities ensures the availability of lower prices there than in scattered towns and villages. Funeral consumers in small towns tend to choose the nearest funeral home, which minimizes competition and props up prices.

Some members of the Board now believe that the FCAFL could do more good for its members by teaching them how to make plans for funeral needs—and how to shop for funeral goods and services—than by offering contractual arrangements for a few types of defined services. An informed individual can make straightforward funeral plans just as well as an organization can. One of our sister organizations in Texas conducts seminars in which participants visit funeral homes, learn what questions to ask, and learn how to read both General Price Lists and merchandise price lists. Then they share experiences with one another. The result: informed funeral consumers.

**What's on a General Price List?**

Informed funeral consumers should know what a *General Price List* is and how to read one.

A General Price List (GPL) is required by the Federal Trade Commission to be available in every funeral home. A copy of it must be made available to any person who requests it. It must be given to a customer at the beginning of any discussion of arrangements. The GPL must contain certain disclosures and many specific elements: A customer may select only the items he or she wants. Embalming is not required by law except in certain special cases. A “basic services fee” will be added to any items purchased. “Alternative containers,” such as those made of cardboard, are available for direct cremation. A casket price list is available. An outer burial container (vault) price list is available.

The FTC's Funeral Rule requires that GPLs list the prices of 16 items—if they are services the funeral home offers—including the basic services fee, embalming charge, cost of picking up the body, the price of a viewing, the price of a funeral or memorial service, the cost of funeral vehicles, and other commonly offered goods and services.

States may set additional requirements for content of General Price Lists. We will return to this topic in another Newsletter.

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**Fall 2007 Newsletter – FCA of the Finger Lakes— page 4**

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**FCAFL on the World Wide Web**

Have you visited the FCAFL's website? Here is some of the information shown on the home page and the welcome page. This is what we project to the public. Please recommend the site to any friend who needs a nudge to get informed about advance planning for funeral needs. [www.imsfca.org](http://www.imsfca.org)

**"The Funeral Consumers Alliance of the Finger Lakes** (FCAFL) is a nonprofit nonsectarian association dedicated to the education and protection of consumers. The Alliance serves Tompkins and adjacent counties in central New York, informing its members and the general public about funeral practices and costs.

Founded in 1958 as the Ithaca Memorial Society, the FCAFL is financed only by donations. It is one of more than 100 organizations across North America affiliated with the Funeral Consumers Alliance, Inc.

Membership is free and open to all. Members share a commitment to advance planning (but not prepayment) of simple and affordable funeral and memorial arrangements.

The Alliance publicizes funeral-related issues and,

by contacting state legislators, advocates legislation that benefits funeral consumers. It opposes legislation designed to benefit funeral businesses but not consumers.

The Alliance also contracts with funeral homes for reasonable, simple, and dignified funeral services so that its members may plan their own arrangements. In this way, survivors are spared difficult decisions and excessive costs at the time of a member's death.

The FCA of the Finger Lakes is happy to provide speakers to discuss advance planning and other funeral-related issues with community or church groups. Contact us if your group is interested."

**We appreciate your \$\$ help!**

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

Your contributions are used exclusively for services to members and the public. They are essential for the Alliance's operation.

All donations are gratefully acknowledged.