



# In Touch

**FUNERAL EDUCATION FOUNDATION**

Associated with Funeral Consumers Alliance of San Mateo and Santa Clara counties

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**FALL 2013 Issue**

## Funeral Giant Gobbles Up Competition

Service Corporation International (SCI), the largest chain of funeral and cemetery goods and services providers, is preparing to buy up its next largest competitor, 100-year-old Stewart Enterprises, for \$1.4 billion, a move that is likely to diminish competition and lead to higher prices for consumers. Shareholders of both entities have approved the merger, but federal regulators will have the final say in the matter.

In 2006, Service Corporation International acquired its then next-nearest competitor, Alderwoods Group, which represented about 5% of the funeral and cemetery market. If this merger goes through, SCI will have 15% of the entire US funeral industry. But SCI has learned how to appease regulators' concerns via strategic divestitures of funeral homes and cemeteries across the country so as not to appear to limit competition.

In a letter to the Federal Trade Commission, the non-profit Funeral Consumers Alliance (our national organization), based in Vermont, noted that Houston-based SCI's acquisition of Stewart Enterprises would give it control over 2,000 funeral homes and cemeteries nationwide.

"SCI has devoured the other funeral home chains over the past several years and now is the king of the hill in most major metropolitan markets," FCA's executive director, Josh Slocum, said in a statement.

"And the results have not been good for consumers. These mergers have led to higher prices and deteriorating service." Slocum gave details of SCI's track record of abusing customers at their most vulnerable time.

"For at least 15 years grieving families around the country have complained to us about the practices at SCI funeral homes and cemeteries," Slocum said in the statement. "From lying about options in order to boost the funeral bill, to digging up graves to re-sell them to another unsuspecting family, to denying the legal rights of LGBT people to make funeral arrangements for their partners. You name it, we've heard it."

SCI had to spend over \$100 million to settle a grave desecration class action over its Menorah Gardens Cemetery in Florida, and a similar class action in California is under way regarding Eden Memorial Park in the Los Angeles area.

"This is not a run of the mill merger; this isn't about whether a \$20 retail product will cost consumers \$5 more," Slocum said. "Funeral consumers often make great economic sacrifices to bury their loved ones. The average full-service funeral runs in excess of \$7,000 and often for much more at SCI's Dignity locations. Especially when it has faced less competition, SCI has increased prices and we can expect more of the same if this merger occurs."

## Still Studying Alkaline Hydrolysis in California

AB 764, Linder, a bill that would establish a six-year pilot program to offer crematory licenses to not more than five alkaline hydrolysis facilities in California, is still under review by the State Senate's Environmental Quality Committee, so it may not be voted on until next year. A previous bill to introduce the alkaline hydrolysis disposition method for human remains was derailed for lack of details about regulatory oversight. The pilot program established by this bill would have helped to provide the necessary understanding of those issues.

The alkaline hydrolysis method uses a high pH solution at moderately elevated temperatures to

dissolve human remains. It is somewhat more environmentally benign than cremation for dealing with remains. (See our Fall 2010 InTouch "Resomation—More Than You Wanted to Know", [www.fcapeninsula.org/InTouchFall2010.pdf](http://www.fcapeninsula.org/InTouchFall2010.pdf)). The bill would expand existing law relating to the registration of cremated remains disposers and crematory operating entities so they apply to the hydrolysis of human remains. The alkaline hydrolysis method is supported by the California Funeral Directions Association and opposed by California Catholic Conference of Bishops, who consider hydrolysis a casual and disrespectful way to dispose of bodies.

Alkaline hydrolysis is used in several other states and would have provided a fourth option for disposition of remains in California, in addition to burial, cremation, and whole body donation.

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### DID YOU KNOW?

FCA/FEF Board meetings are held the second Monday of each month from 11am-1pm at the Friends Meeting House, 957 Colorado Ave., Palo Alto. ALL ARE WELCOME!

### Mortuaries Given More Time to Update Web Sites

SB 658, which passed in 2011, requires mortuaries with websites to post their lists of goods and services. The Cemetery and Funeral Bureau (CFB) is using this year to allow funeral homes to come into compliance with the new law. The legislation went into effect January 1, 2013 but the CFB is just issuing advisories this first year and will start seriously enforcing the new requirement on Jan. 1, 2014.

*There is no cure for birth or death  
save to enjoy the interval.  
~~George Santayana~~*

## Meaningful Memorials and Marketing

Some Thoughts from Affiliate President Deborah Meckler



The following is from the National Funeral Directors Association website ([www.nfda.org](http://www.nfda.org)).

*"Mom didn't want us to make a fuss." "Just put me in a box and bury me."*

We're sure you have heard phrases like these. Perhaps only occasionally. Perhaps frequently. But chances are you're starting to hear comments like these more and more often.

You're not alone. Funeral professionals throughout the country experience the same thing every day. Each time someone says something like this, it impacts you, your business and your bottom line. It also points to a much bigger problem: People do not see value in taking time to remember and honor their loved ones at a funeral or memorial service. Death and grief have become something to be handled as quickly and efficiently as possible.

### We hope to reverse this troubling trend.

The 10 funeral service associations, including NFDA, that are members of the [Funeral and Memorial Information Council \(FAMIC\)](http://www.fcpeninsula.org/FCAMIC) have united with one voice to create a national education campaign to help consumers understand the importance of meaningful memorialization....

The caution about impacts to "your bottom line" seems a bit cynical when the subject is death, but it is a normal concern for a business owner in any industry. And indeed, funeral homes, like every other business in our faltering economy, are hard pressed to stay afloat as people have less money to spend on non-essentials. Hence the tendency to get bought up by big conglomerates—see story on page 1.

The more cynical and subtly misleading statement, is that "People do not see value in taking time to remember and honor their loved ones at a funeral or memorial service." Of course, people DO want to honor and remember their loved ones. What people do not see the value of (or have the money for) are the lavish funerals that funeral homes want you to purchase from them, and ideally pay for in advance. A memorial service can be a simple thing, a gathering in a home or park or favorite hiking trail where people exchange memories of a now-absent friend or relative. It can be pot luck, impromptu. It can be weeks or months after the death, when the most deeply bereaved have come out of shock and achieved more equanimity. The amount of money spent is an irrelevance,

bearing no relation at all to how much you honor or remember the deceased.

Another misleading and inaccurate statement is that "Death and grief have become something to be handled as quickly and efficiently as possible." Quickness and efficiency are possibly desirable when dealing with human remains—fill out the papers and get the job done. But grief is a different matter, and no one would rationally suggest that it be handled "quickly and efficiently." Grief must take its own course and its own time, and is different for each person. It is another mark of funeral industry cynicism that the sales folk at funeral homes are referred to as "grief counselors."

Death care, once a family or community activity, has now been handed over to Big Business. Indeed, most of us would not know how to handle everything ourselves anyway (though you can find out how to do it on our website at <http://www.fcpeninsula.org/HomeFuneral.html>). Thus an industry is born, and it must market itself to survive. The "national education campaign to help consumers understand the importance of meaningful memorialization" is a *marketing* campaign. Meaningful memorialization is a fine thing, but *profitable* memorialization is what the funeral homes are after.

Death care has two parts: 1. disposition of the remains (burial, cremation, etc.) and 2. everything else. The first part is required by law and will cost money. The second part is optional and will cost as much—or as little—as you care to spend. So do some thinking and planning about what you will find meaningful before you get marketed to.

### Our Board of Directors

The Board officers are President Deborah Meckler, Vice President Marjorie Bridges, Secretary Ray Sowards, Treasurer Byron Chan. Others on the Board are Roberta Bailey, Allan Behr, Jennifer Harris, Susan Weisberg. There is currently one Board vacancy. Email [president@fcpeninsula.org](mailto:president@fcpeninsula.org) or call Deborah Meckler at 650-878-4835 if you are interested in an opportunity to participate in the direction of our organization.

## Your Questions Answered

Confused about death-care options? Worried about costs? Do you want to know if something is required by state law or not? Want help filling in your planning forms? Would you like someone to talk to about death-related issues? We have started a free new service for the Bay Area—a Death Care Q&A on (usually) the third Thursday of each month from 1pm—4pm at our office, 463 College Ave., Palo Alto. (Second floor of Wesley United Methodist Church). See our calendar at [www.fcpeninsula.org/calendar.html](http://www.fcpeninsula.org/calendar.html).

Bring your questions or problems concerning end-of-life planning to this open session. Volunteers from the board and community will be there to assist the discussion. These sessions will continue on Oct. 17, Nov. 21, Dec. 19, etc. as long as there is interest. Reserve a seat at 650-321-2109. You can leave a message if the office is closed.

The office is very near the El Camino Real bus lines and not far from CalTrain's California Ave. station, if you need public transportation. A parking garage is opposite the front of the church on Cambridge Avenue.



*I'm supposed to respect my elders, but it's getting harder and harder to find any*

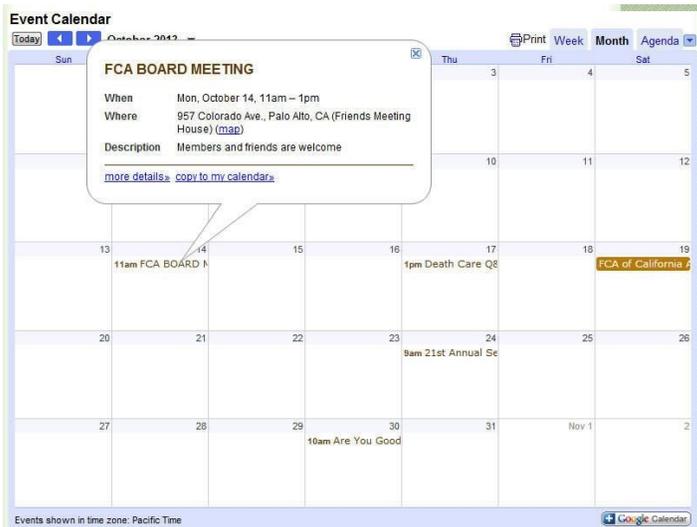
## Punny Last Request

Scott Entsminger, a Cleveland Browns season ticket holder, died at 55 on July 4. He left an unusual last request. The musician and band member was such a Browns fan that he wrote a song each year about them, which he sent to the team along with advice about how to run the organization. The family encouraged everyone attending his funeral to wear clothes supporting the team. And he wanted his pallbearers to be Browns as well, because his last request was that he "have six Cleveland Browns pallbearers so the Browns can let him down one last time."

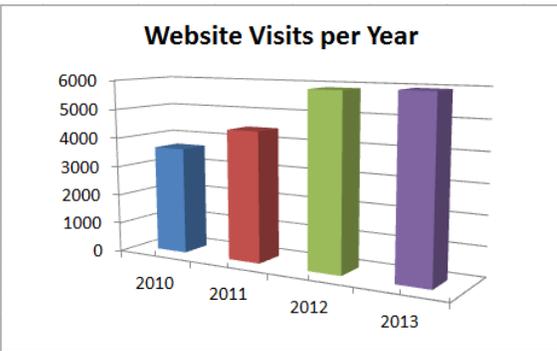
From *Mortuary Management Magazine*, September 2013

## Org News and Trends

Our website ([www.fcapeninsula.org](http://www.fcapeninsula.org)) is sporting a useful new feature. Clicking on a prominent button on the home page will bring you to our **Calendar** page, with information about upcoming events. Click on an event and an information bubble will open with details about the event, and links to a map and further details about the event.



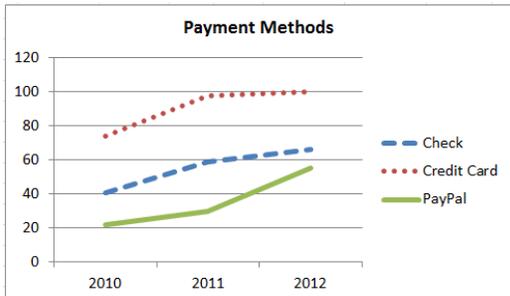
We present educational talks at various venues as well as participating in information fairs and events that are open to the public and usually free. There's lots to see here. Get online and have a look!



The chart to the left shows a steady year-over-year increase in the number of visits to our website. 2013 is not over yet, so the trend continues.

We work hard to make the website a valuable one-stop resource for death-care planning, so it is good to know that people are making frequent use of it.

Another encouraging trend is apparent in the chart below, which shows an increase in the number of people who sign up online using PayPal to pay their membership dues. This reflects the increase in the number of people accessing our website. Note that it is also possible to make **donations** online using PayPal.



Just look for the "Support Us" button on almost any page.

## Annual FCA State Meeting

The Annual Conference of the Funeral Consumers Alliance of California will be held Saturday, October 19, 2013 at Livingston United Methodist Church, 11695 Olive Ave., Livingston, CA.

FCA members from all chapters around the state as well as unaffiliated guests are invited to hear about new developments in the funeral industry and what is happening in each chapter and region.

The event will start at 8:30 a.m. for registration and breakfast and continue through lunch to 4 p.m. Food is included in the \$25 registration fee.

Speakers will include

- **Dr. Glen W. Davidson**, professor emeritus and author of numerous books, speaking on "Helping Voluntary Organizations Better Help Their Clients".
- **Holly Blue Hawkins**, a natural deathcare advocate and consultant, will describe and lead a demonstration of Death Cafés.
- **Robert Caughlan**, an environmental activist and political campaign strategist will speak about the need for green cemeteries.

Local members wishing to attend should contact Margie Bridges at 650-321-6584 or email her at [margiebr2002@yahoo.com](mailto:margiebr2002@yahoo.com). Carpools can be arranged.

## Who can make disposition arrangements?

There have been some additions (*bold italicized below*) to who is allowed to make decisions about the disposition of remains in California.

Those who have the "right, duty, and responsibility" to make decisions regarding remains are, in order as listed in the law:

- The person him/herself, prior to death.
- ***The Person Authorized to Direct Disposition (PADD) on a U.S. Department of Defense Record of Emergency Data (DD Form 93) as that form existed on December 31, 2011, or its successor form.***
- An agent under a California power of attorney for health care.
- The surviving competent spouse or registered domestic partner.
- The surviving competent adult child or the majority of the surviving competent adult children.
- The surviving competent parent or parents.
- The surviving competent adult sibling or the majority of the surviving competent adult siblings.
- The surviving competent adult or the majority of the surviving competent adults in the next degree of kinship.
- ***A conservator of the person appointed under Part 3 (commencing with Section 1800) of Division 4 of the Probate Code when the decedent has sufficient assets.***
- ***A conservator of the estate appointed under Part 3 (commencing with Section 1800) of Division 4 of the Probate Code when the decedent has sufficient assets.***
- The public administrator when the decedent has sufficient assets.

**Mollie Stone's supermarket's Community Card will donate a portion of what you spend to FCA. Sign up for painless giving! Details at [www.fcapeninsula.org](http://www.fcapeninsula.org).**



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Visit us on the web! [www.fcopeninsula.org](http://www.fcopeninsula.org)

### RETURN SERVICE REQUESTED

We are a non-profit organization dedicated to protecting the right to choose meaningful, dignified, affordable death care, and to providing information to help make these choices.

### We Can Use....

We are always in need of supplies and equipment. Currently we would be happy (overjoyed even) for donations of the following

- Reams of colored paper, both 8.5x11 and 8.5x14
- A laptop running Windows 7
- A copier or printer/copier (fairly fast...)
- Computer projector for presentations

We also need volunteers to

- Distribute literature to churches, and senior centers
- Research local mortuary prices
- Serve on our Board

**To respond**, call 650-321-2109 or email [office@fcopeninsula.org](mailto:office@fcopeninsula.org)

*They say such nice things about people at their funerals that it makes me sad to realize that I'm going to miss mine by just a few days.*  
~~ Garrison Keillor ~~

### News You Can Use

#### Flags and Cremation

On September 6, Governor Brown signed into law SB 119, Calderon. Current law allows only four things to be burned in cremation chambers: human remains, their containers, items used for disease control, and personal effects of the deceased. This bill would allow the separate incineration of one or more American flags within one week before or after three holidays (Memorial Day, Flag Day, Independence Day), and to keep records for 10 years.

#### Upcoming Events—see our online Calendar for complete details

- **Oct 17**, noon-3pm, Death Care Q&A at our office in Palo Alto
  - **Oct 19**, 8:30am-4pm FCA State Meeting, Livingston, CA. \$25 registration fee includes lunch and snacks
  - **Oct 24**, 9am-noon, Senior Resource and Wellness Fair in San Jose. Visit our table.
  - **Oct 30** 10-11am Presentation: Are You Good To Go? at Rotary Plaza Senior Housing, So. San Francisco
  - **Nov 15** 9am-1pm Senior Showcase Information Fair, Foster City. Visit our table.
- NOTE:** Our Speakers Bureau will present to your senior center, church or organization at no cost.

#### Updated Booklets Available

The Cemetery and Funeral Bureau's updated booklet *Consumer Guide to Funeral and Cemetery Purchases* is now available online at [www.cfb.ca.gov](http://www.cfb.ca.gov) and will soon be available in print at any licensed funeral home or cemetery upon request.

#### Coroners and Organ Donation

AB 1297, Perez/Anderson was signed into law 9/24/13. It authorizes information sharing between coroners and organ procurement organizations (OPOs) regarding cases in which organ or tissue may be available from a person whose death is imminent. It requires coroners and medical examiners to assist in its implementation, cooperate with OPOs to maximize opportunity to recover anatomical gifts. Authorizes OPOs to notify a coroner prior to the donor's death, of a donation, requires coroner to accept notification if it will facilitate coroner's work within a time period compatible with donation.

#### Drug-Related Deaths

Governor Brown returned SB 62 Lieu unsigned. The bill would have required coroners to report deaths caused by schedule II, III, or IV drugs. Governor Brown explained

that "... the bill creates an unfunded mandate for the state, potentially in the millions of dollars." Brown went on to explain that he would sign SB 670 which would give the Medical Board better access to information necessary to investigate suspicious deaths.

#### Extraterrestrial Memorial

For \$1990, Elysium Space will send a portion of your cremated remains into space on a CubeSat that will "respectfully and peacefully" orbit the earth for several months before re-entering the atmosphere and burning up in a spectacular blaze. Friends and family can witness the launch and will get a mobile app that allows them to track the real time location of the spacecraft. From [www.elysiumspace.com](http://www.elysiumspace.com)

#### Putting the Fun back in Funerals

Caitlin Doughty, a licensed mortician with a truly quirky sense of humor, has lots of accurate and entertaining information about funerals and death practices at [OrderOfTheGoodDeath.com](http://OrderOfTheGoodDeath.com). Especially entertaining are the videos (hover over the graphic to find them) on such topics as body donation, ghosts, talking to your kids about death, and whether corpses are dangerous.