



# In Touch

Bay Area Funeral Consumers Association

[www.ba-fca.org](http://www.ba-fca.org)

## Annual Meeting Speakers and Topics

Please join us for our Annual Meeting:

April 22  
1:30pm  
Mitchell Park Library  
3700 Middlefield Rd.  
Palo Alto

Our first speaker, Susan Hughmanick, MD, is a retired Board Certified OB-GYN living in Santa Cruz County who currently volunteers as a Medical Outreach Volunteer for Compassion and Choices, educating medical personnel and the community about end of life options. Her talk is entitled "There Are Always Options...Even at the End of Life". This presentation will provide information and updates on the California End of Life Options Act since it went into effect in June 2016 as well as other legal options. In addition, she will provide tools and resources that will prepare you to have empowering conversations with your doctor and family.

Our other featured speaker is Jeanne K. Smith, an Estate Organization Expert who has worked for over 25 years in the field, offering services including office organizing, clutter control and downsizing, and working with families in times of crisis. Her talk is entitled "You Can't Take It ALL

With You!" Whether you are preparing for a move to a smaller home or your final resting place, you need to downsize your life collection of STUFF and PAPER, and get your practical life affairs in order.

Jeanne is a Past President of the Northern California Chapter of the National Speakers Association, and of the San Francisco Bay Area Chapter of the National Association of Productivity and Professional Organizers. She has served on the boards of the Financial Planning Forum and the Peninsula Estate Planning Council. Jeanne will give you a reality check, nudge you forward, and offer creative tips to accomplish both.



The business meeting, which will precede the program, will include a review of the last year, a presentation of this year's budget (see page 3), a vote on by-law changes and an election of Board members. There will be a table of informational brochures available for you to choose from.

Light refreshments will be served.

463 College Avenue  
P.O. Box 60448  
Palo Alto, CA 94306  
(650) 321-2109

Spring 2018 Issue

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## Bylaw Revisions

Some changes have been made to the BAFCA bylaws. The following summarizes the changes that you will be asked to vote upon at the upcoming Annual Meeting (see above). You may view the complete text of the original and the amended bylaws on our website at [www.ba-fca.org/Intouch2018SpringBylawChanges.html](http://www.ba-fca.org/Intouch2018SpringBylawChanges.html).

1. Members must be at least 18 years old.
2. Full privileges will be granted to members transferring from another FCA affiliate upon payment of the transfer fee.
3. Directors must be regular members.
4. The minimum number of board members will be seven (previously nine).

5. A Board member will no longer automatically forfeit board membership after 2 consecutive absences, but will require a unanimous vote by the rest of the board to be removed.
6. Board members who term out after two 3-year terms may serve an additional term when there are no nominations to fill the vacancy if the remaining board members unanimously approve and upon a vote by the members at the next membership meeting
7. The quorum required for a vote at the Annual Meeting will consist of 20 (not 25) members.
8. Instead of an audit every two years, the board shall prepare a fiscal report of assets, liabilities, and summary revenues and expenses for the previous year. This report shall be available at the office for inspection by members for at least 30 days prior to the annual meeting.
9. A budget for the coming year will be posted in the Spring newsletter and explained at the annual meeting.

Some cause happiness wherever they go;  
others, whenever they go.

~ Oscar Wilde ~

### Do you stop at Mollie Stone's?

Mollie Stone's will make a contribution to BAFCA every time you use the Mollie Stone's escrip Community Card. See [www.ba-fca.org/MollieStoneInstr.html](http://www.ba-fca.org/MollieStoneInstr.html) for details. Every little bit helps!

### MEMBERS: Update your Info

Do you have a new address? A new phone number? Have you given us your next-of-kin information? Your date of birth? Have you decided or changed your mind about the mortuary you want to use? WE NEED TO KNOW! And we especially need a good email address for you. Send an email to [office@ba-fca.org](mailto:office@ba-fca.org) with your updated info. Or go online to [www.ba-fca.org/MemUpdateForm.html](http://www.ba-fca.org/MemUpdateForm.html). Or use your remit envelope or call us or send the info via US Mail. We accept all forms of communication!

## Help Wanted: see below

BAFCA is almost entirely dependent on volunteers. If you have extra time and energy, here are some of the ways you can help:

If you could distribute our membership brochures to your local libraries, churches, and senior centers that would be a great help. Pick them up at the Annual Meeting on Sunday, April 22, or from our office during office hours 10 a.m. to 1pm Tuesday, Wednesday, and Friday—463 College Ave., Palo Alto.

Occasionally the BAFCA office gets a request for information from a non-English speaker. Could you let us know by phone, email, or remit envelope if we could call upon you in case of a need for a foreign language interpreter? We'd need your name, phone number, and language(s) in which you are fluent. Thanks!

Volunteer opportunity for those with extra time and a phone! We would love to finish the cemetery price survey for San Mateo, Marin, Sonoma, and Contra Costa Counties. We have the names and phone numbers of cemeteries, just need people to call them and ask questions to fill in a standard form. Then mail the forms to our office. Instructions provided. The results will be posted on our website to join the prices for Santa Clara and Alameda Counties already finished. Let the office know if you can help, and we'd be so grateful.

Email office@ba-fca.org or call us at 650-321-2109 to volunteer.

## Presumed Consent Considered in UK

In a sparsely attended session of the British House of Commons in February, attendees gave unanimous approval to send an organ donor bill to committee where a final version would be created. The bill would make all adults in Britain presumed donors of organs and tissues. The bill could face obstacles as it works its way through necessary legislative procedures, but it has the support of a rare alliance of Conservatives and Labour as well as the British medical establishment.

Many nations, including the United States have an "opt-in" consent required for organ donation, meaning that permission to harvest organs and tissues must be specifically given. However a number of nations have presumed-consent laws, making all adults organ donors by default, unless they specifically opt out.

The new British law, if passed, will apply in England. Wales has had presumed consent since 2015; Scotland is also considering moving to presumed consent, and Northern Ireland still requires explicit consent.

The public is becoming more accepting of organ donation but laws on the subject have been somewhat uneven. In UK, lawmakers are opting for a system where families would be allowed to refuse consent even if the deceased had not opted out.

*IN TOUCH* is issued twice a year from the offices of Bay Area Funeral Consumers Association, 463 College Ave., Palo Alto, CA 94306

# Tributes



### With thanks to these donors

Each year our organization receives gifts made to honor respected individuals or in memory of loved ones who are missed. Below are the financial tributes we have acknowledged since the last newsletter:

#### *In Memory of:*

**Alder Meckler** by Deborah Meckler  
**David and Margot Botsford** by Peter Botsford  
**Edyth Wagner Roop** by Dietrich Wagner  
**Frederick E. Garrity, Jr.** by Marlene Garrity  
**Georgia Schwaar** by Robert Schwaar  
**Paul Garrett** by Jean Garrett  
**Robert & Louise Levy** by Ellen Finch  
**Ruth K. Vurek** by Gerald Vurek  
**Susanna Wallace** by Donald Wallace

#### *In Honor of:*

**Byron Chan** by Carolyn Hee

## Body Brokers: What You Should Know

WARNING: Graphic descriptions

Most people who donate their bodies to science imagine that their earthly remains will lie on a table in an anatomy class surrounded by medical students eager to learn the ins and outs of the human body. If you are accepted into the Stanford Willied Body Program (information at [www.ba-fca.org](http://www.ba-fca.org)), that is exactly what will happen.

But it turns out there are many other ways to use donated bodies, and indeed, numerous for-profit businesses, generically called "body brokers," have sprung up to help supply the needed bodies and body parts. And this is legal.

The first thing to know is that the law is different depending on whether you are donating a whole body or are donating organs and tissues FOR TRANSPLANT. In 1984 Congress passed the National Organ Transplant Act. Under this law, it is illegal to sell human organs or tissues destined for transplantation.

But the legislation does not address donated whole bodies or what can be done with those bodies and parts when the goal is NOT transplantation. A 2004 effort by a federal health panel was

**continued on next page**

**Body Brokers continued from previous page**

unsuccessful in getting the government to regulate the body broker industry. A Reuters investigation revealed that only 10 states regulate body brokers and only four of those (NY, VA, OK, FL) do any significant inspections of their operations. Of the 34 body brokers Reuters was able to identify, 25 of them were for-profit companies, many of which brought in millions of dollars a year. Indeed, it is not surprising that entrepreneurs would be attracted to an industry that is allowed to profit by selling a donated product.

There are, of course, many legitimate beneficial non-transplant uses for bodies and body parts, including practicing surgical techniques, developing new surgical instruments, new medicines, implants and prostheses. EMTs use heads and torsos to learn how to insert breathing tubes. The list goes on.

While in most states anyone can legally purchase body parts (brain \$750, hand \$250, knee \$450, etc.), body brokers will say that they don't "sell" body parts, that they merely charge "fees" for their services to transport, dissect, store, and distribute the body parts to the entities that need them. This disingenuousness is revealed when, in bankruptcy proceedings for example, stored body parts are claimed as assets. Or when body parts are priced differently depending on demand. Or when a large broker such as Science Care clearly states in its 2008 expansion plan that its goal is to maximize profits from the sale of human bodies donated to science, and models its operation on MacDonald's Corporation.

There have been numerous abuses uncovered and lawsuits filed against body brokers: Body parts stored in unsanitary conditions and decomposing; bodies dismembered crudely with chainsaws instead of precisely with surgical instruments; rented cadavers infected with hepatitis and HIV. There are even weirder aspects to this odd industry. Reuters found at least 90 instances where brokers held medical training labs (sales demos?) not in properly-equipped medical facilities but at hotels and convention centers where biosafety protocols were lacking. Food was available near cadaver stations. Walls of ballrooms used for weddings had to be covered in plastic because of bone chips flying when bone saws were being used.

One large body broker, Science Care, is notable for its good practices. In 2003, it became the first body broker to earn accreditation by the American Association of Tissue Banks, honoring its adherence to strict donation, dissection, and shipping procedures. The company proudly showcases its accreditation in its marketing, on which it spent more than \$1 million over 10 years. They tout the contributions to science, and the fact that body donation saves money, since free cremation is often part of the deal. (It remains a mystery whether ashes returned to the family are actually from the donated body.)

But rather than waiting for people to donate bodies, Science Care has actively sought out the dead and dying by cultivating relationships with funeral homes, hospices, hospitals, and even local governments looking to reduce their cremation expense for the indigent or unidentified dead. Funeral homes give the body brokers access to potential donors in return for a referral fee. This provides income to the funeral homes even when the client is too poor to afford a simple cremation. But it also creates an incentive for

funeral homes to encourage grieving relatives to opt for body donation, sometime without fully understanding what will happen to the remains. Another unfortunate outcome of aggressive marketing by body brokers is that it has reduced the number of bodies being donated to medical schools, which do not engage in advertising for their Willled Body Programs.

Complaints against Science Care have largely involved misunderstandings or misrepresentations that Science Care will ALWAYS take the body, which it won't, sometimes for quite inexplicable reasons (not accepting bodies in Mississippi, low body mass, "did not have a program that would accept the body", etc.) Other complaints were from Science Care employees who complained of poor working conditions, poor training, long hours, no job security and high turnover.

It is probably true that a body donated to a body broker will indeed be used in the pursuit of science. But if you want to make sure that your donated body is not also used for profit, BAFCFA recommends that you select one of the local universities' Willled Body Programs. See [www.ba-fca.org/BodyOrgan.html](http://www.ba-fca.org/BodyOrgan.html).

For the full Reuters study on this topic, see [www.reuters.com/investigates/section/usa-bodies/](http://www.reuters.com/investigates/section/usa-bodies/).

<b>2018 BAFCFA Budget</b>		
	<b>2017 Actual</b>	<b>2018 Proposed</b>
<b>Income</b>		
Donations	18560	12000
Memberships	7820	7800
Before I Go Kits	447	500
<b>TOTAL INCOME</b>	<b>26827</b>	<b>20300</b>
<b>Expense</b>		
California FCA Dues	75	75
National FCA Dues	588	1000
Facilities, Equipment, Insurance	2439	2725
Kits	250	250
Postage, Mailing, Permit, PO Box, etc	867	900
Printing Newsletter, Copy Services	7514	9000
Supplies, Materials	116	200
Telephone and Internet	1461	1500
Worker's Compensation Insurance	51	600
Payroll (wages, state & fed taxes & fees)	7687	8000
Miscellaneous	145	250
<b>TOTAL EXPENSE</b>	<b>21193</b>	<b>24500</b>
A savings account is available to draw on for the deficit		

**I didn't attend the funeral, but I sent a nice letter saying I approved of it.**  
 ~ Mark Twain ~



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

### RETURN SERVICE REQUESTED

## Save the Date! ANNUAL MEETING

April 22  
1:30 pm  
Mitchell Park Library  
3700 Middlefield Rd  
Palo Alto

### New Price List

See the new price sheet, enclosed. Some prices have increased. BAFCA members still get prices lower than the mortuaries' General Price Lists. Fewer mortuaries now charge extra for home pickup or after-hours removal.

People as far away as Sacramento have called us to be members. We don't have a funeral home there for them, but most of our mortuaries will travel there for an extra charge based on mileage or county, the same arrangement as for Sonoma and Napa Counties.

Note changes in casket descriptions and ash-scattering prices on the back page. Chris Miller, manager at Miller-Dutra Coastside Funeral Home, died last year, and John Crosby is now the manager of record. Bay Area Cremation added "Society" to its name.

**Before I Go, You Should Know**—This \$15 booklet contains useful forms (powers of attorney, advance directives, etc) and lots more! Order by emailing [office@ba-fca.org](mailto:office@ba-fca.org) or calling 650-321-2109.

### News You Can Use

#### BAFCA Outreach

Visit BAFCA table at three upcoming Senior Fairs: May 18 from 10 a.m. to 1 p.m., Santa Clara Senior Center; May 19 from 10 a.m. to 2 p.m., Cupertino Senior Center; and May 22 at Mountain View Senior Center. On May 24 Jennifer Harris will be giving her "Are You Good to Go" presentation at 10:30 a.m. at San Mateo Senior Center. She could also use assistance with the brochure tables. Jennifer has lots of open dates if your organization wants to hear the program.

#### Advance Directive Registry

If something happens to you, will your family or friends know how to find your Advance Health Care Directive so that they know your wishes? If you want to make sure that this information is available when needed, you will be happy to learn that California's Secretary of State maintains a voluntary registry where you can file your own Advance Directive. See details at <http://www.sos.ca.gov/registries/advance-health-care-directive-registry/>. This information is then made available upon request to the registrant's health care provider, public guardian, or legal representative. A request for

information must state the need for the information. Of course, if you don't have an Advance Health Care Directive, it is a VERY good idea to make one. Find the forms by Googling CA Advance Health Care Directive (the direct link for this was too long to include here...)

#### New Legislation

In addition to the passage of AB 967 allowing and regulating alkaline hydrolysis as a means of human remains disposition, which was extensively detailed in our spring *In Touch*, the California legislature has introduced and/or passed several other bills affecting death-care-related matters.

**Senate Bill 547**, passed and signed by the governor in October 2017, SHOULD help guarantee that funeral personnel provide accurate and up-to-date information to clients about laws affecting funeral practices. It requires that licensed personnel (funeral directors, embalmers, etc.) in cemeteries, crematories, and funeral establishments have to receive documented training every three years. This bill also adds a requirement affecting non-licensed individuals who consult with clients in such establishments. These non-

licensed individuals are now also required to receive documented training about federal and state laws, rules and regulations, coroner, anatomical gifts, etc. This requirement became effective Jan. 1, 2018.

**Senate Bill 247** provides "regulatory relief" to an interesting variety of endeavors by removing licensing requirements. Audiologists, locksmiths, barbers, and custom upholsterers, for example, no longer have to be licensed. With respect to the funeral industry, the new law has removed licensing requirements for Cremated Remains Disposers. These are the people who scatter cremains at sea or from airplanes, etc. California laws regarding disposition of cremated remains are fairly simple in any case. Scattering is allowed on any private property with the consent of the owner, and on much public property (parks, etc.) with a permit.

**Senate Bill 1289** for Maintenance of the Codes is largely a tweak in existing law so that, among other things, providers of alkaline hydrolysis are specifically included among the funeral businesses that must provide their clients with an itemized list of fees and charges.