



CREATIVE CHOICES

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The Newsletter of the Austin Memorial and Burial Information Society (AMBIS)

CONSUMER ALERT: FTC Withholds Names of Four Austin Funeral Homes Committing Significant Funeral Rule Violations in 2011

In mid-April, the Federal Trade Commission announced the results of their annual undercover inspections to see if funeral homes in nine cities were complying with the Funeral Rule, which was established in 1984 to protect consumers from unethical practices. FTC mystery shoppers visited 19 Austin funeral homes in 2011 and reported that **four had committed significant violations.** (Full FTC press release, at www.ftc.gov/opa/2012/04/funeral.shtml.)

On April 25, AMBIS President Nancy Walker called the FTC to obtain the names of the four noncompliant Austin funeral homes. She was told by Craig Tregillus that the FTC does not reveal the names of first-time offenders, who, he added, are given an opportunity to go through a three-year offenders' training program without severe financial penalties or risk to their reputation. Voluntary participation in the Funeral Rule Offenders Program (FROP) is, Tregillus said, an alternative to being faced with a lawsuit, which could lead to a federal court order and civil penalties up to \$16,000 per violation.

Since the inception of the Funeral Rule in 1984, the FTC has been the indisputable expert on the content and intention of the Rule. Publications explaining the Rule to both consumers and funeral providers are available online and upon request. Austin area hospices, AMBIS, and other FCA affiliates around the country order **Funerals: A Consumer's Guide** by the hundreds at no cost. Anyone may also download or order **Complying with the Funeral Rule**, a comprehensive explanation of the Rule written by the FTC specifically for funeral providers.

Despite years of demonstrated expertise about every aspect of the Rule, the FTC has outsourced

the training of funeral home personnel who violate the Rule. Since its establishment in 1969, the FROP has been operated by the National Funeral Directors Association (NFDA), the very trade association that represents the funeral industry and their interests.

Like the NFDA, the FTC continues to frustrate the efforts of consumers to obtain the names of funeral homes who have violated the Funeral Rule. Josh Slocum, Executive Director of our national FCA, says, "For years I've had to submit formal Freedom of Information Act (FOIA) requests to the FTC to get the names of the violators and the types of violations. Sometimes they take months to respond and they redact information that can't be reasonably covered by any FOIA exemptions."

Fact: The 1984 Funeral Rule has been in place for nearly 30 years.

Fact: 20% of the 19 Austin funeral homes in the 2011 sweep were in violation of the Rule.

Some Steps You Can Take to Protect Yourself and Those You Care About

- Ask AMBIS for a free copy of the FCA's **How to Read a Funeral Home Price List**, as well as dozens of other articles, pamphlets and fact sheets to inform, empower and protect you.
- Carefully read the narrative portion of the annual AMBIS funeral home survey, as well as the price chart.
- Email AMBIS at speakers@fcaambis.org or call 480-0251 to request a presentation for any organization or group of which you are a member.
- Give your volunteer time and financial support to AMBIS and encourage others to become members.

Your active involvement and support enable us to achieve our mission!

The FCA: Supporting Consumers from Sea to Shining Sea

Anyone who has ever seen an AMBIS funeral home survey has tangible evidence that AMBIS is our local funeral consumer's resource, advocate, and champion. The good news doesn't stop there. We also have an expansive resource, a tireless advocate, and a major champion on the **national** level: The Funeral Consumers Alliance (affectionately referred to by some as "the mother ship"). Precisely because it is a national organization, FCA is perfectly positioned and eminently qualified to represent and empower us in a big way. Where else on the internet can you find a comprehensive resource for the benefit and protection of funeral consumers? No wonder consumer advocate Clark Howard repeatedly refers his

listeners to FCA's website, where they usually can find an affiliate like AMBIS in their local area.

In addition to their legislative watchdog work on the federal level, FCA provides us with a wealth of information about funeral topics, both common and rare – everything from airline policies on shipping human remains to specific information for each and every state. When you go to their user-friendly web site, <www.funerals.org>, you will find dozens of pamphlets and articles to inform and empower you. More than ever, there is plenty to know!

AMBIS and the FCA nationally need your support to keep on keeping on. Be an active consumer advocate and donate to both. And be sure to check both websites frequently for free, valuable information.

"READERSHIP REALITY CHECK"

As of May 1, AMBIS has 3,090 member households in our database. Currently, 231 of you are receiving the newsletter electronically. The **printed** newsletter is being **mailed** to the remaining 2,859 households, unless you told us that you don't want it. Typically, 75 newsletters come back undelivered, most often because we were not informed when members moved or died. Mailing newsletters to 92% of our member households four times a year is a huge operating expense.

Be assured that we want those of you who read and value the newsletter to continue receiving it. We are simply asking you to let us know that you want it. If you are willing to receive the newsletter electronically, send us your email address. If you prefer the printed newsletter, tell us when you change your address. **If you don't want the newsletter at all** – perhaps because you've moved away from our service area – **please let us know.** Donations to help with printing and postage are always appreciated. ~ *The AMBIS Governing Council*

Family Uses AMBIS Survey to Negotiate Savings!

When Lamar Hankins took the 2012 funeral home surveys to a hospice in San Marcos, the social worker he spoke with was elated. He explained to Lamar that families are usually able to negotiate for lower prices if they go to funeral homes with a copy of our survey. He continued by telling Lamar about a family who took the survey to one of the more expensive funeral homes in our area ... and ended up paying \$6,000 for a complete full-service funeral even though the General Price List would have allowed the funeral home to charge about \$9,000.

Further, when the funeral home realized the family knew where to purchase caskets for less, they reduced the price of their casket to keep the family from going elsewhere.

Who Knew? If you are killed in an auto accident, provisions in your auto insurance policy that apply to medical payments and PIP coverage may also cover funeral expenses. For more info', contact your insurance company and/or the Texas Department of Insurance at 1-800-252-3439 to request a copy of *Auto Insurance Made Easy*. Detailed information is online at the Texas Department of Insurance website: <www.tdi.texas.gov/pubs/consumer/cb020.html#coverages>.

How Can You Be Sure Whose Ashes are Whose?

How does anyone know they are getting the right ashes back? What if they lump you in with someone else to save money? ... Is there a way to be sure you are getting back your person and not a "mix"?

Josh Slocum's Reply: There is no absolutely fool-proof way to know you're getting the right ashes unless you witness the cremation (some funeral homes and crematories allow this; others don't). From time to time you will hear of multiple bodies being cremated together or ashes being mixed up, but that's pretty rare. Most funeral home and crematory operators make a concerted effort to do the right thing when it comes to cremation and returning the ashes.

Some questions to ask a funeral home and/or crematory:

- What's your chain-of-custody process throughout the service?
- Do you cross-check paperwork and identity when retrieving a body or delivering it to a third-party crematory? What is the crematory's own procedure?
- Are bodies tagged with wrist or ankle bands?
- Do you use a metal disc with a unique ID number that survives the cremation process?

In the Spotlight: OUR OFFICE VOLUNTEERS



Sitting, L to R: Maxine Barkan, Nancy Walker in front of Frances Allen, Helen Burnette
Standing, L to R: Virginia Kniesner, Daesene Willmann, Frances Gibich, Chauncey Ashburn, Clint Henderson

**Please email office@fcaambis.org
if you'd like to join the team!**

Whenever you call or write AMBIS for assistance, whenever you send a donation, whenever you tell us that you've moved, our dedicated family of office volunteers is ready and able to respond. They, along with our 24-hour phone response team and our database manager, keep AMBIS moving forward by sending out new-member packets, preparing materials for fairs and presentations, answering a myriad of questions, maintaining membership records, and performing other tasks essential to our success.

Our office hours are from 10 a.m. to 2 p.m. on Mondays, Wednesdays and Fridays. Come by, check out a library book, and talk with our volunteers about whatever's on your mind. Our whole purpose for being there is to provide the kinds of helpful information that only AMBIS can provide.

For this vitally important service to our membership and the larger community, we thank Beverly Allen, Frances Allen, Maxine Barkan, Frances Gibich, George Hawkins, Clint Henderson, Virginia Kniesner, Leo Osterhaus, Nancy Walker, and Daesene Willmann.

From the President ~

It is an honor to be elected President of the AMBIS Governing Council. I pledge to each and every AMBIS member that I will do my best to provide you with timely, accurate and useful information to help you to be informed, empowered funeral consumers.

The success of AMBIS is truly a collaborative effort. I know you understand our need for your financial support to continue our work; but I'm not as sure that you realize you are our greatest resource in other ways. We depend on you to tell those you care about how AMBIS has helped you or someone you know. We rely on you to help us spread the word by urging groups with whom you are affiliated to invite us to speak at one of their meetings. And we'd like you to recommend to us a sponsor for special events.

Because I believe that AMBIS is about service as well as information, I invite you to contact me directly to discuss ways in which we can serve you best.

Please help us in whatever ways suit you best.

Nancy Walker, 512-480-0251
<president@fcaambis.org>

“Send” Us a Cemetery!

The upcoming summer newsletter will include our biennial cemetery survey. As many of you know, we have literally **hundreds** of cemeteries in our five-county service area, which makes it impossible to list them all.

As in years past, we do plan to list the larger cemeteries in Travis County, if they have plots available. We also want to list a sampling of cemeteries in Bastrop, Caldwell, Hays and Williamson Counties. A representative variety will give you a basis for comparing features and prices when you begin looking on your own.

To see the cemeteries listed in the 2010 survey, contact AMBIS to request a copy or see the survey online at www.fcaambis.org.

If you would like us to keep a cemetery that was included in the 2010 survey or you would like to recommend a new one, please send the name and location to office@fcaambis.org. Together, we will make this the most useful survey possible.



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Non-Profit
Organization
U.S. POSTAGE
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AUSTIN, TEXAS

Email <office@fcaambis.org>, call 512-480-0555, or clip and mail this form to our office.

RETURN SERVICE
REQUESTED

Postmaster, please return newsletter with address legible for remailing

My new or corrected contact info:

Name

Street or P. O. Box

City, State, Zip

Phone

Email address

Help me transfer my membership to an FCA affiliate outside the AMBIS service area.

Spring 2012

Contemplating Mortality

Are there any benefits to contemplating our mortality? Is there such a thing as “dying well”? If questions like these intrigue you, go to <http://being.publicradio.org/programs/2012/contemplating-mortality/> to learn more and listen to a conversation with Dr. Ira Byock, a leading figure in palliative and hospice care.

AMBIS Mission Statement

AMBIS, a member of the national Funeral Consumers Alliance, is a nonprofit, nonsectarian, educational consumer organization that encourages and assists Central Texans in making informed, practical end-of-life decisions.



Send address, email and phone number changes, editorial items, testimonials, letters, and inquiries to:

<office@fcaambis.org>

~ OR ~



Mail to: **AMBIS**
3710 Cedar Street, Mailbox 13
Austin, TX 78705-1449

Visit us online at www.fcaambis.org ...



- * To join or donate to AMBIS
- * To download advance-planning forms, newsletters, surveys and other items of interest

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