



CREATIVE CHOICES

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Spring 2009

The newsletter of the Austin Memorial and Burial Information Society (AMBIS), a nonprofit, nonsectarian, educational and consumer association organized to encourage informed planning about end-of-life issues. AMBIS is a member of the Funeral Consumers Alliance.

Avoiding confusion when using funeral directives to choose cremation or appoint a funeral agent

AMBIS provides two funeral directives to anyone who wants them: the Body Disposition Authorization Affidavit and the Appointment of Agent to Control Disposition. Recently, there has been confusion among some funeral providers and others about the importance and use of these directives. Each has a slightly different purpose.

Recently, an advice column appeared in some newspapers which stated that in order to be cremated "Texas requires a signed cremation authorization by legal next of kin unless the desire is stated in a will or the services are planned and paid for in advance."

That statement is incorrect. The Texas Health & Safety Code provides the following:

Sec. 711.002. DISPOSITION OF REMAINS; DUTY TO INTER. (a) Unless a decedent has left directions in writing for the disposition of the decedent's remains as provided in Subsection (g), the following persons, in the priority listed, have the right to control the disposition, including cremation, of the decedent's remains, shall inter the remains, and are liable for the reasonable cost of interment:

- (1) the person designated in a written instrument signed by the decedent;
- (2) the decedent's surviving spouse;
- (3) any one of the decedent's surviving adult children;
- (4) either one of the decedent's surviving parents;
- (5) any one of the decedent's surviving adult siblings; or
- (6) any adult person in the next degree of kinship in the order named by law to inherit the estate of the decedent.

...

- (g) A person may provide written directions for the disposition, including cremation, of the person's remains in a will, a prepaid funeral contract, **or a written instrument signed and acknowledged by such person.** The directions may govern the

inscription to be placed on a grave marker attached to any plot in which the decedent had the right of sepulture at the time of death and in which plot the decedent is subsequently interred. The directions may be modified or revoked only by a subsequent writing signed and acknowledged by such person. The person otherwise entitled to control the disposition of a decedent's remains under this section shall faithfully carry out the directions of the decedent to the extent that the decedent's estate or the person controlling the disposition are financially able to do so. (Emphasis added.)

If a person executes a "Body Disposition Authorization" form found on the AMBIS website at http://fcaambis.org/docs/Body-Disposition-Authorization_AMBIS.pdf or an "Appointment of Agent to Control Disposition of Remains" form found at http://fcaambis.org/wp-content/uploads/2008/08/disposition-ofremains_ambis.pdf that person can have a cremation, providing someone pays for it.

If a person does not have the funds to do so, application may be made to the county in which the person lives for indigent burial, which can include cremation if the county has authorized that method of disposition.

Many funeral directors and others forget that not only wills and prepaid funeral contracts can be legally binding for having a cremation, but so can "a written instrument signed and acknowledged by" any person who wants to be cremated.

The Body disposition Affidavit serves this purpose well, but if a person is concerned about having that document honored, perhaps because of differences of opinions within the family, it might be wise to execute, also, the Appointment of Agent to Control Disposition form so that someone is put in charge of final arrangements who will honor the wishes of the deceased. Ω

AMBIS BRIEFS

Advance Planning Workshop full - get on waiting list

The Advance Planning Workshop scheduled for May 23 is full, but if you are interested in attending, call the AMBIS office at 480-0555 to get your name on the waiting list. If there are cancellations, you will be notified.

AMBIS promotion scheduled

A promotion of AMBIS will occur on June 6th at the Cedar Park TOTH, (Treasure of the Hills) Senior Center. If you will help tell the story, here or at other places, call 480-0555.

Deathcare industry having its own economic problems

In case you've been dying for more bad news about the economy, here's a grave new indicator: Even the death industry is in a hole. It has long been suspected that the funeral business is immune from economic cycles, that the Grim Reaper tends not to follow the stock market. But this time, funeral homes are discovering that their clients' thrift -- sheet-metal urns instead of bronze caskets, cheese-and-cracker nibbles instead of traditional funeral luncheons -- is positively killing profits. So funeral directors did what everybody else does: They asked for but did not get a federal bailout. It was quite an undertaking, but it didn't work. To laugh and sigh, see the Washington Post article at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/31/AR2009033103477.html?sub=AR>

All Faiths joins AMBIS discount program again

All Faiths Funeral Service has once again offered to give a 15% discount to all AMBIS members. They retracted their contract several months ago, but have decided to again offer you this discount.

Obituary Writing Workshop June 20th

Those last words said about a person -- the final phrases that sum up a life -- are all-important. Not only is obituary writing important; it can also be enjoyable. An obituary writing workshop is scheduled for Saturday, June 20, from 10 a.m. until noon, in the dining room of the AGE Building, 3710 Cedar Street (at 38th Street) in Austin. Join AMBIS past president Ed Nichols and others to experience some of history's memorable obituaries and get valuable tips on how to write your own. Refreshments will be served. Suggested participant donation is \$10.

AMBIS Elevator Talk

Here is a suggestion for a 30-second appeal explaining AMBIS--short enough to say in an elevator: "Do you know what scares me to death -- thinking about the cost of a funeral when I die. I joined a volunteer-run group called AMBIS that is part of the Funeral Consumers Alliance. They have a wide range of free materials, everything from advance directives, to information about what to do when a death occurs, to annual surveys of funeral costs in five counties here in central Texas. You can join on-line or by calling 480-0555 just by making whatever donation you can afford. You should check it out."

From the President--

EACH ONE, REACH ONE AND TEACH ONE

At our annual meeting then-President Ed Nichols said that we have new members but had a decrease in total membership. Does that trouble you? Is what we do as AMBIS important for your neighbors and our community? Do you value the advocacy work done by AMBIS and the national Funeral Consumers Alliance?

My pastor recently bemoaned the way in which some funeral homes "prey" on people who are vulnerable because of grief and guilt. "They don't have anyone advocating on their behalf." That's not true, I replied, as I reminded him about AMBIS and our advocacy work. A few weeks later he joined AMBIS.

My goal for this year is adding 1000 new member families. Is that realistic? Together this is very realistic. With 3000 member families (about 7500 individuals), if each one will reach one and teach one, we'd have 3000 new member families, doubling our membership. Why does that matter? Because more folks would have the benefits of workshops, be more knowledgeable about options they have and be better prepared for their own death, and more folks would be advocating for the public.

What can you do? Talk about it with neighbors. Ask your pastor to become a member, if he/she is not now. Why wouldn't you want to do this? **[See "AMBIS Elevator Talk" in the box to the left.]** Telling our story is not self-ish, not at all. It is neither sectarian nor mono-cultural. The membership fee is so low (nothing if you can't afford a modest donation) and yet does so much good. I'll be eternally grateful for AMBIS and that is why I offered to be on the Board and now accepted the presidency. Outreach is our job.

Just one -- reach out and touch one person and teach one (or more) about the value of AMBIS. Don't be timid; you know that the funeral industry professionals are not timid in encouraging their services -- prepaid contracts and services at the moment of grief. The unprepared can make rash and expensive decisions that they may later regret.

Each one of you, will you show me that the Board and office staff efforts are important to you? I hope so. No one at AMBIS receives any pay or salary. We count on you to help spread the good word of AMBIS. Each one of you is crucial to our successful outreach.

Rodger Ericson, *President, AMBIS Governing Council*

AMBIS Volunteers



AMBIS volunteers help keep the office open, respond to telephone and mail inquiries, prepare materials to send out by mail to those requesting them, keep the office organized, maintain the AMBIS membership list, and do anything else needed to keep AMBIS working to help Austin-area families. Pictured left to right, they are Leo Osterhaus, Kathleen Grobe, Mary Graf, Jim Moss, George Hawkins, Helen Burnette, Daesene Willmann, Frances Gibich, Arnold Ashburn, Chauncey Ashburn, and Rodger Ericson. All our members and many others in our service area owe them all a big thank you. So here it is:

Thank You!

Please Help Us Keep Our Mailing List Current

To help us keep our mailing costs down, be sure to let AMBIS know if your address changes. If you move out of the area, we can help you transfer your membership. Send changes by email, call the AMBIS office at 512-480-0555, or send this form with the old address to AMBIS

My new or corrected address is:

Name

City, State, Zip

Phone

Email address

**Austin Memorial & Burial
Information Society
A Funeral Consumers Alliance
P. O. Box 4382
Austin, Texas 78765**

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Spring 2009



To mail an address correction, please clip and mail to AMBIS at P.O.Box 4382, Austin, TX 78765, or take to AMBIS office in the Austin Groups for the Elderly Bldg. at 3710 Cedar St. (at 38th Street), Room 112. Email an address change to <mail@ambis.info>.

AMBIS CONTRACTED FUNERAL HOMES

The following funeral homes offer to AMBIS members a 15% discount off the costs shown on their General Price Lists:

- King-Tears Funeral Home
1300 E. 12th Street (512-476-9128)
- Harrell Funeral Homes
 - 4435 Frontier Trail (512-443-1366)
 - 100 Heritage Drive & Hwy 290W, Dripping Springs (512-858-5666)
 - 2770 & Kohlers Crossing, Kyle (512-268-8200)
- Fish Funeral Homes
 - 2620 S. Congress (512-442-1446)
 - 3125 N. Lamar (512-452-8811)
- All Faiths Funeral Service
 - 8507 North IH 35, (512-339-8878)
 - 4360 South Congress Ave. (512-326-8878)

When contacting one of these funeral homes, please provide proof of your AMBIS membership by showing a copy of this newsletter addressed to you or your new membership letter. Membership can be confirmed also by calling the AMBIS office at 512-480-0555.

www.ambis.info

CREATIVE CHOICES

CREATIVE CHOICES is published quarterly by the Austin Memorial and Burial Information Society, a nonprofit, nonsectarian consumer and educational organization formed in 1964 to protect a consumer's right to choose a meaningful, dignified, and affordable funeral.

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