



CREATIVE CHOICES

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Spring 2011	

The newsletter of the Austin Memorial and Burial Information Society (AMBIS), a member of the national Funeral Consumers Alliance and a nonprofit, nonsectarian educational consumer organization that encourages and assists Central Texans in making informed, practical end-of-life decisions

Funeral Home owner threatens to sue AMBIS over annual survey footnote

The 2011 funeral price survey published in February included record numbers of funeral homes with multiple locations under the same ownership. As a result of these multiple locations, and the need to conserve space, the survey editor consolidated most funeral homes under the same ownership under one listing in the survey chart, and reported other commonly-owned funeral homes in footnotes.

As a result of this decision, footnote 18, which concerned Wrench Funeral Home & Cremations, stated that it had another location under the name Austin Cremations:

Additional location under the name of Austin Cremations located at 1800 Central Commerce Ct. #800, Round Rock—Direct Cremation at \$995; other prices about 30% less

Both Wrench Funeral Home & Cremations and Austin Cremations are owned, controlled, operated, managed, and founded by Paul Wrench. However, the entities are separately licensed and legally independent of one another. Wrench Funeral Home & Cremations is in Leander. Austin Cremations is in Round Rock, as noted in the survey.

On February 24, 2011, attorney Karl H. Moeller, on behalf of Paul Wrench, sent a letter to AMBIS and its Governing Council President Rodger Ericson threatening legal action against AMBIS if AMBIS did not correct footnote 18 in the 2011 Annual Survey. AMBIS hired an attorney, Renea Hicks, who negotiated a settlement with Wrench's attorney.

Through his attorney, Wrench claimed that footnote 18 was "causing considerable confusion in the marketplace" and the suggestion of price variations between the two facilities "is damaging the brand and good will of Wrench Funeral Home and Cremations." While the relationship between the two entities may be a distinction without a difference for some survey readers, AMBIS agreed to make clear that the two funeral homes are legally separate entities.

AMBIS and Wrench agreed to change footnote 18 to read as follows:

Paul Wrench also owns Austin Cremations which is licensed and incorporated separately at 1800 Central Commerce Ct. #800, Round Rock – Direct Cremation at \$995; other prices about 30% less

In addition, AMBIS agreed to three other actions:

1. print an additional 1000 copies of the 2011 survey with the changed footnote for use until the next survey;
2. post the survey with the revised footnote 18 on the AMBIS website;
3. publish an expanded survey in 2012 that includes on its chart all funeral homes in its service area.

The litigation threat by Wrench cost AMBIS \$852.50 in attorney fees, plus \$80 to print the additional surveys. Ω

Help AMBIS by supporting *Gone for Good*

What's in Your Closet?

AMBIS is partnering with *Gone for Good* to raise funds for AMBIS. *Gone for Good* accepts art, small furnishings, jewelry, and crafts. Once donated, the items are gone for good, out of your home, and out of your life. *Gone for Good* will sell the items and forward the proceeds, less a modest handling fee, to AMBIS.

Here are examples of previously donated items:

- Daryl Colburn Medicine Bag metal sculpture
- Pueblo Woman doll
- Tiffany lamp
- Ceramic urn
- Schatz ship's clock
- Yellow Rose stained glass
- Belleek china

What's in your closet that you can donate and have gone for good? Contact Retta Van Auken at 657-7210 or Gail Miller at 297-6302 to donate items and arrange for pick-up. Items should have a minimum value of \$50 each.

Gone for Good operates under the auspices of the Austin Community Foundation. See photos of items that have been donated and learn more about *Gone for Good* at www.goneforgood.net.

From the President –

**“If the shoe fits, there is no room for growth.”
A good motto for AMBIS and everyone.**

ECO-FRIENDLY OPTIONS: Embalming, which is not required by law, is promoted to encourage public viewing of the deceased and to increase funeral home profits. Health codes require the body be dealt with by refrigeration, embalming, cremation or burying. Refrigeration is far less expensive than embalming and won't put toxins in the ground.

Increasingly, people are considering “green” or “natural” burial, where unembalmed remains are buried in a biodegradable container or a cloth shroud. The grave, which can be dug by family members, does not have a liner. Currently, two cemeteries in our service area provide natural burial sites: Eloise Woods Community Natural Burial Park located near Bastrop, and Our Lady of the Rosary near Georgetown. Both permit you to dig the grave. Many families report that the experience is “highly therapeutic,” “helpful,” and “a loving last gift” to their loved one.

HAVE YOU DISCUSSED THE SPECIFICS concerning your recommendations for your own death-care with your family? Not just the general idea, but which funeral home, what to do with your body, whether you want to donate your body parts to help the living (when it is possible). These are among your choices, and AMBIS doesn't care what choice you make, but we urge practical and intentional preparation. Consult our website for the advance directives, and be sure yours are current and that your family has been involved with these decisions, and that they know where your advance directives are located so they can find them at 2 a.m. on an unexpected day.

TOTALLY FREE BURIAL BENEFITS FOR VETERANS: It is not necessary to hire a licensed funeral director to transport the body or cremains of a veteran (or spouse) to a VA cemetery for interment. Veterans receive, at no cost, a grave site, opening and closing the grave, and a grave marker. The cost for the spouse is \$300. With the proper documents and information, your family can do this without a paid funeral director. Call the VA at 1-800-827-1000 for information. You must call 1-800-535-1117 to schedule the interment.

DECEPTIONS: Many "funeral information" websites have popped up lately. Two examples are www.thefuneral-site.com and www.imortuary.com. Unfortunately, these computer entrepreneurs hold themselves out as funeral experts, when in fact they are really just trying to make a profit off consumers or lock you into using their services. I find a lot of their information is inaccurate or biased in favor of the industry, not the consumer. Some of the funeral homes they list have been out of business for 5 years or more. Veterans especially should be leery of ads which promote special offers for them.

FCA NOTES: Joshua Slocum, executive director of our Funeral Consumers Alliance (FCA), reminds us that funeral homes are required by law to give quotes over the phone. This information complements our funeral home price survey and saves time when comparison shopping. “I want everybody to have the tools they need to protect themselves, to save money — often thousands — simply by acting as a smart shopper like they do with everything else they buy,” Slocum said. He added that consumers must get past the idea that we show respect for the dead in proportion to the amount of money we spend on them. “Our organization doesn't agree with that. You will honor that person, miss them, and grieve for them whether you spend \$1 or \$10,000.”

I can attest to this from personal experience. I spent under \$200 to prepare my mom at home for a trip to Minnesota for final rites and burial. I estimate it would have cost \$10,000, if I had gone commercial, with a costly but less satisfying experience. After observing our family-led death care, people remarked, “I didn't know you could do this - What a loving gift.” I would certainly do it this way again and have asked my family to give me similar personal care.

AMBIS SUPPORTERS: Education and advocacy are not free – both take personal time and contributions. Thanks to everyone who is an active supporter. Your volunteer efforts and financial support are gratefully appreciated by AMBIS and the national Funeral Consumers Alliance office.

TEXAS LEGISLATIVE EFFORTS: Two FCA of Texas members, Jim Bates from North Texas and our own Lamar Hankins, are leading the consumer advocacy efforts to turn down the provisions of an industry supported bill (HB 1708) which could seriously cripple any efforts to hold funeral directors liable for the unethical or illegal efforts of their workers. You can find the bill at: <http://www.capitol.state.tx.us/BillLookup/Text.aspx?LegSession=82R&Bill=HB1708>

Rodger Ericson,
AMBIS Governing Council President

Rodger serves also on the Board of the Funeral Consumers Alliance, and is a retired USAF chaplain and Lutheran pastor, who served as a part-time hospice chaplain in the Austin area for three years before fully retiring.

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.

The rapacious ways of Service Corporation International

by Lamar W. Hankins, Freethought San Marcos © (used by permission)

For the second time since 2000, I have encountered the unrelenting greed of Service Corporation International (SCI). In 1960, my parents, Herman and Arthur Mae Hankins, bought four plots in Greenlawn Memorial Park, a cemetery located in Groves, Texas, adjacent to Port Arthur, Texas, where I grew up. Around 1998, SCI acquired the cemetery from the family that had owned it for 100 years.

In 2000, after the death of my younger brother, his cremated remains were buried in one of the plots with the approval of Paul Pond, cemetery manager, and Craig McGee, the Area Manager for SCI at that time. Their approval came only after a prolonged negotiation made necessary by the desire of SCI to extract the most money possible out of every opportunity, often by relying on its own policies. Most cemeteries, especially corporate ones, reserve the right to change their policies—as reflected in their rules and regulations—at any time. When they do so, the changes often cost families more money and thereby enhance the profits of the corporation.

My brother's cremated remains were encased in a tube made of PVC pipe sealed on both ends with PVC end caps. My family and some friends held a family-planned and family-directed graveside service, during which my father, an uncle, a cousin, and I took turns digging an appropriate-sized hole with a post hole digger, then lowered the capsule into the hole with a specially-designed bag that I fashioned out of macrame materials that my brother had used to make craft items.

My mother and father (as well as the rest of the family) found the graveside service meaningful and advantageous to them in dealing with their grief. The participation by several family members in the service gave it meaning that it would not have had with the involvement of funeral or cemetery professionals.

My mother and father have now died. When I was in the Beaumont-Port Arthur area on February 25, preparing for my father's memorial service at Wildwood-Village Mills United Methodist Church held the next day, my wife and I visited with John Davis at Greenlawn to explain that I wanted to make preparations for a similar service for the interment of the cremated remains of both my parents, which are contained together in a container similar to the one I made for my brother's cremated remains. John Davis's initial reaction was that my family's wishes could not be fulfilled, but he agreed to talk with his supervisor

about the matter and call me back within the hour and to provide information, as well, about the cost of a monument for my parents' gravesite.

When I received no call back from him for four days, I called to find out why I had not received the information I had requested about the service and the cost of a monument for my parents. I was unable to reach him and got the name of his supervisor, Mark Root. He and I talked by telephone on March 2nd. Root told me that in order to bury my parent's cremated remains together, I would have to pay a second interment fee because this was required by the Texas Department of Banking, a statement I knew was false, and I told him so. In addition, Root told me that the Department of Banking did not permit interment of cremated remains in a PVC container, nor did SCI rules. The latter statement I agreed with, but I knew the statement about the PVC pipe and the Banking Department was false. I told Root that I was going to contact the Department of Banking about his statements, which I did right after our discussion.

My parents never imagined ... a corporation as avaricious, insensitive, indifferent, and callous to the needs of families as is SCI.

I called Russell Reese at the Department of Banking, the Director of Special Audits for Prepaid Funeral Contracts & Perpetual Care Cemeteries, and relayed the conversation with Mark Root. Mr. Reese said he would

immediately call Mark Root to correct his misrepresentations of Banking Department regulations.

In addition to charging an extra interment fee, SCI required that my family buy an urn vault, an outer burial container made of polystyrene or some similar material, and they wanted to charge me to dig a hole in which the urn vault would fit, an "opening and closing fee" as it is called. Together, all charges would be \$3,760, in addition to the cost of the granite marker. All of these charges were based on rules that did not exist when my parents bought the plots.

I have been a funeral consumer advocate for the past 18 years on behalf of the Austin Memorial and Burial Information Society, the Funeral Consumers Alliance (FCA) (which I served as a board member for nearly eight years, four of which were as president), and the Funeral Consumers Alliance of Texas. During my service as president of the FCA Board, I testified at a hearing held by the US Senate's Special Committee on Aging that was investigating fraud in the preneed funeral and cemetery business. Over the years, I have worked closely with the Texas

Continued on next page

Funeral Service Commission and the Banking Department on issues of common concern, so I am not completely ignorant about funeral and cemetery regulations.

The false representations made to me by Mark Root leave me wondering how many misrepresentations, distortions of federal and state regulations, and outright lies are told by cemetery personnel to families who are not as knowledgeable about such matters as I am when they go to SCI to make arrangements for the interment of family members.

I would like to resolve the needs and preferences of my family amicably with SCI, but the inexcusable deceit, hostility, and evasion that I have encountered to simple requests that create no liability or demands on its cemetery or its corporation lead me to believe that SCI's greed is the only force that drives its corporate policies and the behavior of its employees.

On March 10, I spoke by telephone with Scott Leffler, another SCI official, about this matter. He was unwilling to give permission for my family to follow their traditions and wishes regarding the interment of my parents'

Federal cemetery bill reintroduced

Submitted by Josh Slocum, Executive Director,
Funeral Consumers Alliance (FCA)

The bill to expand the Funeral Rule to cemeteries has been reintroduced! Congressman Bobby Rush's staff contacted us in March to let us know HR 900 has been submitted to the new Congress.

FCA testified before the Congressional Subcommittee on Commerce and Consumer Protection to support this bill in the last session. If the bill passes, all the protections funeral home shoppers have will extend to them at the cemetery, too. **We need your help to make this happen as the cemetery lobbyists will try to kill it.**

The blog post, the bill, and an easy way to contact your congressional Representatives and Senators to urge them to support this landmark bill are found at the following link: <http://www.funerals.org/newsandalerts/consumer-alerts/1099-hr900bereavedconsumersact> . Ω

AMBIS needs your email address

AMBIS would like to have members' email addresses to improve communications between AMBIS and its members.

If you have an email address that you have not provided to AMBIS, please forward it to AMBIS at AMBIS@grandecom.net.

Email addresses are not shared by AMBIS with any other group or person.

cremated remains, though he did say that he would speak to Mr. Root about his false statements that I have reported. That same day, I wrote to Jim Kriegshauser, Managing Director for Funeral & Cemetery Services for SCI's region that includes both the Austin area and the Beaumont-Port Arthur area. His office is in Spicewood, Texas, located between Marble Falls and Austin. I told him in the letter that I would like to discuss these matters with him. To date, he has not replied.

My parents never imagined fifty years ago that their thoughtful advance planning and payment for four gravesites would one day lead to their oldest son's being forced to deal with a corporation as avaricious, insensitive, indifferent, and callous to the needs of families as is SCI. This is a corporation, headquartered in Houston, that spends tens of thousands of dollars each year to ensure that the Texas Legislature does nothing to prevent its continuing exploitation of Texas families. Everyone should be aware that if they choose to do business with SCI, they will be contributing to SCI's abuse of families everywhere. Ω

Austin area business formed to sell wooden urns and caskets

Some retired, but not retiring, seniors at Sun City in Georgetown are building wooden urns and caskets for sale in the Austin area. Betty Schleder was inspired to begin this enterprise as a result of learning about AMBIS twenty years ago. Recently, she enlisted the support of a friend at Sun City, Glenda Dennison, to form **Green Graves**.

The entrepreneurs set up a woodworking shop in rented space and hired several "talented Sun City woodworkers, artisans and craftsmen who began producing nicely built pine coffins and esthetically beautiful urns for humans AND pets," according to information provided by Betty.

Prices on the hand-crafted, locally-made products are

Adult caskets—\$500

Urn (for human remains)—\$125

Pet caskets—\$50

Pet urns—\$50

Caskets and urns can be purchased directly from Green Graves by calling 512-868-3900 or 512-943-9216. Or the adult caskets and urns can be viewed and purchased at Ramsey Funeral Home, 5600 Williams Drive, Georgetown, 512-869-7775, at \$650 for a casket and \$175 for an urn.

Green Graves expects to market their products, also, through All God's Creatures Pet Cemetery and Crematorium, which is expected to open by this fall in Georgetown. Green Graves can be reached by email at thesurvivor@suddenlink.net. Ω

AMBIS Book Review

By Donna Terpack, AMBIS Librarian

Slocum, Joshua, and Lisa Carlson. *Final Rights: Reclaiming the American Way of Death*. Hinesburg, VT: Upper Access, 2011.

Final Rights: Reclaiming the American Way of Death is a comprehensive guide to all things related to the business of death-care. The authors, Joshua Slocum and Lisa Carlson, are leaders in the funeral consumer movement: Slocum is the Executive Director of the Funeral Consumers Alliance, a national organization that works for reform in the funeral industry; and Carlson is the Executive Director of the Funeral Ethics Organization, which promotes ethical behavior in the funeral industry.

Final Rights is written in two parts with two appendices and an index. Part one, "Bodies, Business, and Traditions for Saying Goodbye," discusses a variety of industry woes including challenges in conducting family directed funerals, regulatory issues, unsavory business practices, the pitfalls of preneed sales, the body parts business, green burial, and mortuary education and licensing. The role of the Federal Trade Commission in protecting consumers and their effectiveness in enforcing the Funeral Rule are covered in detail.

Part two, "Funeral Law and Related Information for Consumers," is a summary of what one needs to know to care for the dead, followed by a comprehensive analysis of the relevant legal citations, permit requirements, body donation, cremation, burial and industry governance required by each state. The appendices contain a list of unprofessional behaviors identified in laws and regulations across the country and a checklist for information needed for a death certificate.

While the book focuses on "industry ills," care is taken to provide examples of ethical death-care professionals who tend to grieving families at their time of need and lawmakers who are working toward changing legislation to protect the consumer.

Final Rights is encyclopedic in nature and is written in a clear, concise manner. It's organized in a way that makes it easy to focus on topics of interest. (An appendix containing links to resources and suppliers mentioned throughout the book would be a handy addition to the next printing.) This book will empower consumers to make decisions that align with their cultural and religious beliefs, and their wallets. *Final Rights* is a valuable reference work that should be owned by every FCA affiliate and available in every public library collection. The book can be ordered from FCA. Ω

Lowest direct cremation prices in area

The 2011 AMBIS survey of funeral costs reveals that in the AMBIS service area, there are six funeral homes offering direct cremation under \$1,000:

- Heart of Texas Cremation & Burial Services (\$775)
- A Simple Tradition (related to Mission Funeral Home) (\$775-925, depending on which services on its GPL are charged for)
- All Faiths at two locations in Austin (\$990 in Travis County, slightly higher in other counties or if cremation is done in less than 7 days)
- Austin Cremations in Round Rock (\$995)
- Jones Family Funeral Home in Elgin (\$999)

In its annual survey each year, AMBIS tries to price the exact same services for each item included. When funeral homes charge more for a death out of Travis County, or when their GPL provides that they may charge extra for refrigeration after two days, or when they charge extra for having cremation done within a set time period, it is difficult to price their services in a way that families can determine which funeral service they want to deal with. AMBIS will continue to provide accurate pricing, along with explanations to assure that families have all the information they may need. Ω

AMBIS BRIEFS

- February 1—Amy Praskac spoke to a support group at Texas Oncology Midtown. Thirteen persons attended.
- February 1—Tom Arbuckle spoke to about 40 folks at a support group organized by Dan Berto. The participants were mostly 50-65 years old, all retired, laid off, etc., but trying to get back to work
- February 6—Daesene Willmann spoke to 22 participants at UU Fellowship of Austin
- March 1—Amy Praskac did a presentation at Tarrytown United Methodist Church for 7 participants
- March 5—Amy Praskac and Mary Koffend of Accountable Aging did a presentation at Emeritus (formerly Brighton Gardens) for 8 participants
- March 8—Nancy Walker spoke about Advance Directives to two Health Science Classes at Westlake High School.
1st presentation: 19 students + 1 instructor
2nd presentation: 23 students
- March 15—Daesene Willmann spoke to a group of 6 people in home of AMBIS member Mickey Michaels. Two new AMBIS members joined that evening, thanks to Mickey's enthusiasm.

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

Street or P. O. Box

City, State, Zip

Phone

Email address

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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. AMBIS is a member of the Funeral Consumers Alliance, a federation of about one hundred similar consumer groups located throughout the United States.

The ideas expressed in *CREATIVE CHOICES* are those of the authors and editor and not necessarily those of AMBIS.

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