



# CREATIVE CHOICES

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2022 Issue 3

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The Newsletter of the Funeral Consumers Alliance of Central Texas

## Gratitude for Your Support



Member-Friends of our FCA, As you know, our organization – including our Executive director and our Board – is run entirely by volunteers. All of us are truly grateful for your response to our annual fund-raising appeal. Without your kind-hearted support, we could not achieve our mission, which is to help people make educated, practical choices that will meet their needs at the end of life. Thank you!

## Best Funeral Consumer News In 40 Years!

Funeral consumer advocates across the nation are closing in on the biggest victory since the [Funeral Rule](#) became effective in 1984!

In 2020 – because the Funeral Rule legislation routinely requires periodic review – the Federal Trade Commission (FTC) invited the public to comment on the Rule. They received 724 comments. To your credit, 114 of those comments were from members of FCA of Central Texas! Nearly all proposed updating the rule.

Progress has been slow, but it continues! In October, 2022, the FTC published a report, [Shopping for Funeral Services Online: An FTC Staff Review of Funeral Provider Websites](#). In this report, the FTC cites a 2021 evaluation done by the National Funeral Directors Association, in which they state that the median cost of the average funeral is nearly \$8,000, making funeral arrangements a significant financial decision.

When the Funeral Rule was drafted 40 years ago, e-commerce wasn't even a glint in anyone's eye. Now, the average consumer depends on online shopping to do many essential transactions. It's how we comparison shop. We watch for deals/ And we investigate the quality of something before we click "buy". We should not have to drive from funeral home to funeral home or call them for prices while we are grieving the loss of a loved one.

On October 20, 2022, the FTC issued a [press release](#): **FTC Seeks to Improve the American Public's Access to Funeral Service Prices Online: Survey reveals more than 60 percent of funeral home websites have little to no pricing.**

Also, on October 20, the FTC voted at a public hearing to propose new rules to protect funeral consumers!

To learn how you can help achieve a long-awaited victory, see page 3.

## Where We are Today: Your Current Rights under the Funeral Rule



The Federal Trade Commission provided the following list of consumer rights on their [website](#) more than **ten** years ago. The Funeral Rule, which specifies these rights, dates back **forty** years. Since then, many consumers shop on websites and expect to see **prices for goods and services**.

Today, the Funeral Rule gives you the right to:

- **Buy only the funeral arrangements you want.** You have the right to buy separate goods (such as caskets) and services (such as embalming or a memorial service). You do not have to accept a package that may include items you do not want.
- **Get price information on the telephone.** Funeral directors must give you price information on the telephone if you ask for it. You don't have to give them your name, address, or telephone number first. Although they are not required to do so, many funeral homes mail their price lists, and some post them online.
- **Get a written, itemized price list when you visit a funeral home.** The funeral home must give you a General Price List (GPL) that is yours to keep. It lists all the items and services the home offers, and the cost of each one.
- **See a written casket price list before you see the actual caskets.** Sometimes, detailed casket price information is included on the funeral home's GPL. More often, though, it's provided on a separate casket price list. Get the price information before you see the caskets, so that you can ask about lower-priced products that may not be on display.
- **See a written outer burial container price list.** Outer burial containers are not required by state law anywhere in the U.S., but many cemeteries require them to prevent the grave from caving in. If the funeral home sells containers, but doesn't list their prices on the GPL, you have the right to look at a separate container price list before you see the containers. If you don't see the lower-priced containers listed, ask about them.
- **Receive a written statement after you decide what you want, and before you pay.** It should show exactly what you are buying and the cost of each item. The funeral home must give you a statement listing every good and service you have selected, the price of each, and the total cost immediately after you make the arrangements.
- **Get an explanation in the written statement from the funeral home that describes any legal cemetery or crematory requirement** that requires you to buy any funeral goods or services.
- **Use an "alternative container" instead of a casket for cremation.** No state or local law requires the use of a casket for cremation. A funeral home that offers cremations must tell you that alternative containers are available, and must make them available. They might be made of unfinished wood, pressed wood, fiberboard, or cardboard.
- **Provide the funeral home with a casket or urn you buy elsewhere.** The funeral provider cannot refuse to handle a casket or urn you bought online, at a local casket store, or somewhere else — or charge you a fee to do it. The funeral home cannot require you to be there when the casket or urn is delivered to them.
- **Make funeral arrangements without embalming.** No state law requires routine embalming for every death. Some states [including Texas] require embalming or refrigeration if the body is not buried or cremated within a certain time . . . In most cases, refrigeration is an acceptable alternative. In addition, you may choose services like direct cremation and immediate burial, which don't require any form of preservation. Many funeral homes have a policy requiring embalming if the body is to be publicly viewed, but this is not required by law in most states. Ask if the funeral home offers viewing without embalming. If some form of preservation is a practical necessity, ask the funeral home if refrigeration is available.

Note: To read the Funeral Rule in its entirety, go to <https://tinyurl.com/2wdxk9>

OR

Call or email us and we'll mail you the FTC booklet, **Shopping for Funeral Services**.

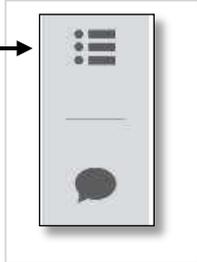


<p><b>We Made Our Voices Heard!</b></p> <p><b>We Can Do It Again!</b></p>	<p>If you were a member of our FCA in early 2020, you received a flyer asking you to respond to the Federal Trade Commission’s request for public comment on the Funeral Rule. Of the 724 comments published by the FTC, nearly 16% were submitted by our members! Yes, other FCA affiliates provided input; but none of them came close to the 114 you contributed! Thank you again!</p>
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**Now is the Time to Tell the FTC to Expand Funeral Consumer Protection**

The FTC has opened an online portal where you can upload your comments to the public record: To access the FTC overview, questions, and related information, go to <https://tinyurl.com/42mcfzd>.

As you’ll see, the Federal Register document has many sections. To open the Table of Contents, click here. 



To see the 40 questions available for comment, scroll down to section IV. Because our most important goal is price lists on websites, pay particular attention to the questions regarding online and electronic price disclosure.

**IV. Issues for Comment**

- **Online and Electronic Price Disclosure**
- Crematory Fees and Additional Costs
- Reduced Basic Fee Services
- Alternative Forms of Disposition
- Embalming Disclosure
- Price List Readability
- Impact on People in Underserved Communities

Although the Comment process is simple and straightforward, if you’d like to read the instructions, scroll to section V.

**Making Your Voice Heard**

The **simplest way** to enter your comments is to click on the green **“Submit a Formal Comment”** button.



Keep in mind that **you have to answer ONLY the questions you wish to answer.**

National FCA has already submitted their input, not only to respond to the FTC but also to provide inspiration and guidance to other concerned consumers who decide to provide commentary. To read FCA’s response, go to <https://tinyurl.com/42mxx85d>

**Deadline for your comments: January 3, 2023**

Thank you for contributing to a great victory for funeral consumers!

# How Might the Funeral Industry be Reacting to Proposed Funeral Rule Updates?

Here's a fanciful reaction posted on Connecting Directors blog at <https://tinyurl.com/2p93mdbx>

## 5 Reasons To NEVER Post Your Prices Online

November 28, 2022

In October, the Federal Trade Commission announced that it is considering amending the Funeral Rule to require funeral service providers to post prices online. Within hours, deathcare professionals across the country were assaulted with headlines like

“Funeral homes could soon have to post prices online” [Read article on NPR website [here](#)], and

“Federal government looks to strengthen funeral service prices disclosure rule.” [Click [here](#) to access article by WSB-TV in Atlanta.]

Post your casket, embalming, and transport prices online? What is the FTC thinking? After all, the existing Funeral Rule has been in place and virtually untouched since 1984. The FTC's own staff review found that today less than 25% of the funeral homes they surveyed posted their entire price list online and more than 60% had no price information at all on their websites.

There are plenty of reasons the FTC should just leave well enough alone, right? Here are five of the best reasons you should be terrified that this legislation will be approved.

### 1. You might be perceived as transparent

“Transparency” is a big buzzword in business these days. Folks seem to want to know everything that goes on behind the curtain. They think that companies should be open, honest, and forthright in all aspects of operations because consumers deserve to know your firm's values, internal processes, sourcing, and ... *pricing!* Forbes says that transparency builds trust in a brand, which can boost sales and increase employee retention [Forbes article [here](#)]. In fact, one study found that 94% of consumers would be loyal to a transparent brand. If that's true, then posting the prices of funeral products and services online could lead to more sales, employee longevity, and families who are loyal to your funeral home. Who wants that?

### 2. Phones and cars are still around

How hard is it to stop by your funeral home or pick up the phone and ask about your prices? Consumers have done this for decades with absolutely no issues, and they're quite accustomed to that practice. Your phone number is still in the phone book, on deli menus, and in the church bulletin, so it's right at their fingertips. And, sure, drop-ins aren't ideal, but there should be someplace in the building and someone who's available to sit down with a family and share the price list with them. No prob, Bob.

***Commentary by your FCA: Picking up a price list should take less than 5 minutes. Of course, the funeral home folks would like to sit down with you to establish a relationship; but that is not required, or even recommended.***

### 3. People might see that your prices are different from your competitor's

You've heard that Joe Blow & Sons charges less for a direct cremation than you do. (They haven't posted their prices online, so you plan to confirm their costs one day by calling them or stopping by when you get around to it.) What would happen, though, if one of your legacy families price shops online and finds out that Blow is cheaper? Why, you'd lose that business to Blow! After all, those families are only interested in saving a few bucks. They don't care about the quality of services they've received from you as you've handled their family members' funerals in the past.

***Commentary by your FCA: Our members have repeatedly told us that more affordable final arrangements do not result in lower quality of service.***

#### 4. Posting prices online is hard

First they say you need a website; then they say you need social media profiles. Now they **say you have to put prices online. Who are “they” anyway? Probably the same people** who tell you that

- 93% of U.S. adults of all ages, education levels, and income use the internet [article by Pew Research [here](#)].
- 82% of people have at least one social media profile [article by Statista [here](#)].
- They might even be the people who say that 80% of the population shops online, or that nearly 57% *prefer* to shop this way [article by Fit Small Business [here](#)].

Well, obviously those people have never had to add a page or a paragraph of text to a website. That would mean placing a call to the company that built your website, sending them your price list, and paying them for your time. So. Much. Effort.

#### 5. You’ve never had to do this before

Nobody likes change. Change is uncomfortable. Doing the same thing year after year without making changes is how you make people feel at ease. It’s tradition — and everyone loves traditional, never-changing business practices. You prefer doing things the way your grandfather and his grandfather did things. They didn’t need the internet or a price list to serve families when your funeral home opened in the early 1900s, so why do you need it now? People probably freaked out when your ancestors had to replace hitching posts with a parking lot, or when someone decided that cremation was a good idea. Posting prices would be just as jarring, so why rock the boat?

These are just five of the plethora of reasons posting prices online is a crazy idea. Even so, it’s an idea that’s gaining traction with the Federal Trade Commission and is likely to develop into a requirement. It’s probably best to be prepared. If it makes you feel any better, deathcare isn’t alone in this particular situation.

As of January 1, 2021, hospitals operating in the United States are required to post online the prices of the items and services they offer in a downloadable format as well as in a “consumer-friendly” display. The so-called Hospital Price Transparency Rule hasn’t been well-received by hospitals, [article by Recycle Intelligence [here](#)] and several surveys have found that a large percentage are still non-compliant, despite the threat of hefty non-compliance penalties.

If deathcare can learn anything from hospitals, it’s that change is inevitable, and resistance to a governmental dictate could be futile — and potentially expensive. Who knows ... posting prices online might actually be a good thing. We’ll just have to wait and see.

\* \* \* \* \*

#### A Tongue-in-Cheek Approach: [Laws That Should Exist for Funeral Homes](#)

Right now, there’s a lot of chit-chat about the FTC and posting prices on your website and stuff. As you know, this is the FFFW, and we do our best to avoid the real issues. So, I’ve created legislation ideas that may unite us all or divide the whole profession.

##### 1) Must Include Grief Dog on Staff Website.

Why? It’s cute. I get a little hit of dopamine when I see a Goldendoodle wearing a bow tie.

**Penalty for not complying:** Mandatory blacklight inspection of the removal van.

##### 2) Must Have Jolly Ranchers Available.

I went to a funeral home that had these once- it was awesome.

**Penalty for not complying:** Death.

##### 3) Must Have a Pet Name for the Hearse (Not Old Betsy)

Hearses are a vital piece to the image of a funeral home. Give her the respect she deserves and come up with a name. It’s also more fun.

**Penalty for not complying:** \$10,000 fee (donated to the local competitor).

*Over the years, many of you have told us that holidays, birthdays, and anniversaries are especially difficult when you are grieving the loss of a loved one.*

*With the more holidays close at hand, we hope this article may be helpful.*

## **Cooking Can Help Us Grieve, Heal, and Process Our Emotions**

By Kayla Hui

Recently, I flipped the last page of [Crying in H Mart: A Memoir](#) by Michelle Zauner. For those of you who haven't read it, the memoir is about Zauner growing up Korean in the United States, navigating life without her mother—who passed away after battling an aggressive form of pancreatic cancer—and rediscovering her identity. Down to its core, it's a touching and fill-your-heart-up story about how cooking and food can help us heal after losing people we love (and warning: reading the book will make you sob).

Whether you cook or not, grief experts confirm that preparing dishes that loved ones used to make for us can play a crucial role in processing grief. To better understand the science, we spoke with a few professionals to learn how cooking can help us heal from loss. And in a recent episode of the [Well+Good Podcast](#), we had a conversation with Frankie Gaw, author of [First Generation: Recipes from My Taiwanese-American Home](#), and Susan Krauss Whitbourne, PhD, psychology professor Emerita at University of Massachusetts Amherst, to talk about the profound healing power of food and cooking.

### **Taste, memory, and keeping loved ones alive through our meals**

Cooking is a sensory experience, involving touch, taste, sight, smell, and hearing. Of all the senses, though, “the sense most strongly tied with memory is olfactory,” aka our sense of smell, says Peggy Loo, PhD, a licensed psychologist and director of Manhattan Therapy Collective based in New York. When we cook, we activate the hippocampus and amygdala, which are parts of the brain involved in memory and emotional processing.

Research shows that human olfaction can cue our emotional memory, most of which comes from the first decade of our life. “This is why certain smells can elicit visceral reactions and evoke memories from long ago,” says Shavaun McGinty, MA, LPC, CT, a licensed professional counselor and certified grief counselor at the Peacemaker Center in Dowingtown, Pennsylvania. This process is what some experts refer to as the “Proust phenomenon”—at the beginning of Proust's novel, **Swann's Way**, he details a scenario in which the taste and smell of a madeleine cookie dipped in a cup of tea brings back a character's long-forgotten memory in detail.

What's more, cooking helps us grieve by minimizing the fear of forgetting our loved ones, whether it's “their voice, their laugh, or that one facial expression they had when they were about to sneeze,” says Dr. Loo. “Knowing that our sense of smell is powerfully tied to memories means that you can access them when cooking dishes we associated with our loved one.”

By following recipes that our loved ones used to make for us or recreating dishes we once shared with friends and family, we keep the memory of a loved one or past experience alive. In a way, the aromas and scents of the meal help us travel back in time—whether that means apples and cinnamon from your mother's apple pie or, in my case, the steaming broth from hot pot. Cooking is what keeps us connected to loved ones after they're gone.

When we lose that special someone in our life, it's also not uncommon to feel as if we lost a piece of ourselves, including our cultural identity. However, cooking can be a way to honor cultural ties, or the passing on of something you had with a loved one, explains Dr. Loo.

Like Zauner, I, too, grew up Asian in America and lost a loved one: my gong gong (grandfather in Cantonese), who immigrated to the United States in the mid-1950s to start a better life. When he passed away from a heart attack in 2002, not only did my family fall apart (he was the glue that held us together), I felt as if I lost a large part of my Chinese identity.

A chef, my gong gong cooked for a living and for family, but his death meant that Cantonese dishes—stir-fried clams in black bean sauce, garlic-infused green beans, and steamed fish with ginger and scallions—were no longer served at the dinner table. Though his death occurred when I was just six years old, I’ve come to realize that I felt the gravity of it most in college, where I grappled with feeding myself and realizing that I couldn’t cook traditional Chinese food. I didn’t learn any of my gong gong’s recipes, and he was the only one in my family who knew them. I felt ashamed and disconnected to my identity. However, I found solace in the aisles of Asian grocery stores, picking and reminiscing about foods and snacks he used to make for me, and learning recipes online. And in making a bold attempt to cook a version of my gong gong’s Cantonese food at home, I felt more connected to him and my culture.

Grief looks different for everyone, but cooking can be the glue that binds us closer together. “It can be helpful to plan intentional pockets of space for your grief—like the one you might have cooking a meal from beginning to end,” Dr. Loo says.

Whether you’ve lost a parent, sibling, grandparent, or friend, cooking can be the driver that reconnects us, grounds us, and helps us heal.

<https://theamateursguide.com/cooking-can-help-us-grieve-heal-and-process-our-emotions/>



**Our next end-of-life options class through Lifetime Learning Institute (LLI)  
What to Know Before You Go**

Dates: Fridays, 10 to Noon, 8 weeks, February 17 through April 4, 2023  
 Location: Genesis Presbyterian Church, 1207 Wilshire Blvd., Austin  
 Cost: \$35 per person + \$10 for handouts

Registration at [www.lliaustin.org](http://www.lliaustin.org) opens on January 18 at noon.

**WE’RE HERE TO SERVE YOU**



Leave us a message at **512-480-0555**  
 Our volunteers are currently working at home, but we check voice mail at least once a day. **We will return your call.**



Email us at [office@fcontext.org](mailto:office@fcontext.org)



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Help me transfer my membership to an FCA affiliate outside the Central Texas area.



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*The Newsletter of the Funeral Consumers Alliance  
of Central Texas (formerly AMBIS)*

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