



an

Idaho Funeral
Service Association
Quarterly Publication

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IFSA 2009 2nd/3rd Qtr. Newsletter

President's Message

Dear Association Members,

Vicki and I attended the Leadership Conference in Branson, Missouri where the theme for the training was setting up a strong association. As I listened and learned it is clear to me that we as a state association are organized very well. We are a member run organization and it is the responsibility of each member to be a part of the day to day operation. We have great resources in Ken and Leisa and from NFDA in running our association and individual businesses. We have trustees from each district, and an at large trustee, who are elected by the membership each year. They are your local leaders who can, when needed, help you with your concerns and report to the board so that the association can take action in a timely manner to correct or prevent problems. Knowledge from each of us can be beneficial to all. But ultimately, we are the ones responsible to succeed both individually and as an association.

As I look to the year ahead as president, there are a few things that I feel we can focus on to better help you and the association stay on a course for success. We are planning the three state convention to be held in Jackson Hole, Wyoming June 20 through 23, 2010, where we will have great presentations on topics that are in your best interest to understand and implement in your business. Please plan to support this convention both by attending and or sending staff, as many as possible, to be a part of the knowledge that can be gained and from the social experience by visiting with other funeral service personnel from all three states. Our NFDA convention this year is in Boston, MA. As always this is a great way to learn from the vendors, presenters and funeral professionals.

Many years ago the tradition of the president traveling the state and visiting each of the member firms was done by many of the former leaders. It is my hope to visit as many of you as possible during the year to learn of your challenges, concerns, and accomplishments. My grandfather, A. B. Eckersell made visits and had a few questions that he asked each firm. I am trying to find his list of questions and the notes he kept after those visits. When I visit I might share with you what the concerns and challenges were in the 40's and 50's and compare to ours today.

We each have the opportunity to make a difference in the lives of those we serve. My hope is that I can be a small part of helping make this association better and more helpful for you the members and those we serve.

Thank you for allowing me to serve as president this year.

Laine Eckersell
IFSA Board President

In This Issue

Continuing Education	3
Convention Thanks!	4
Flu/Pandemic Protocols	6-7
NFDA Spotlight	8-9
Aftercare With Intention	10
More Scams	10
Health Choices Act of 2009	11
Formaldehyde Updates	12
Recycling Metals	13
In Case you Missed it	14
All in the Family	15

2009-2010 IFSA Officers

The 2009-2010 officers were elected and sworn in by Michael R. St. Pierre, NFDA Representative at the 2009 Annual IFSA Convention in McCall, Idaho June 28-30, 2009.

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(208) 442-8171

Past President Message

The 2009 convention was very enjoyable and I would like to share some impressions that I had with the association members. We are really in good hands with our legal counsel, Ken Mallea and secretary Leisa Hiatt. They have our interests at heart and are very frugal. We were pleased with the sponsors and the members that attended. The sponsors gave us high marks for our interaction with them. As in past, Shore Lodge was very accommodating. It is a beautiful place to have a convention and the golf was great. The sponsors helped make this a great convention. We realized that many were not able to attend, therefore, we videoed the speakers: Ross Peterson, historical presentation of Idaho, Nick Greenwell about ways to stay healthy in the work place, and NFDA speaker Michael R. St. Pierre, sharing how NFDA can help the funeral profession in Idaho with national activities. The videos will be in each district to be shared at district meetings.

The San Francisco conference and the Washington D.C. Advocacy sessions were very informative. All funeral homes need to have the approval of airlines for shipping bodies. Get this done. Another important activity that was stressed was getting employees involved in the businesses. We are moving toward continuing education in Idaho.

I have appreciated the opportunity to serve this past year as the President of the association. Thank you very much.

-Douglas Webb

Policy Board Report

The NFDA Policy Board met in Branson, Missouri in conjunction with the NFDA Leadership Conference in July. The policy board elected two new members to the executive board, Jzik Ennis from Alabama and Mark Mortimore of Wyoming.

The board also voted on the NFDA Allied Membership resolution to allow an allied member into NFDA. This was passed with a recommendation of passage and now will be voted on in the House of Delegates at the annual convention in Boston.

Preneed seems to still be a big topic for discussion, we broke out into several small groups and discussed the different states preneed laws.

The head of the American Board of Funeral Service Education spoke about the state of funeral service education and also said there are new funeral service colleges proposed for Salt Lake City and Seattle.

—Jeff Blackmer
Policy Board

Continuing Education

The State Board of Morticians has proposed a mandatory Continuing Education requirement for licensure in the state of Idaho. Attached to the newsletter is the copy of the State Boards proposed rule.

Under the Idaho Administrative Procedures Act, this is a formal rule making proceeding and the rule will next go to the Idaho Legislature for review/approval.

As you will note, the proposed rule allows for credits earned in one year to be carried forward into the next reporting year for reporting purposes. The rule allows the licensee to obtain accredited continuing education hours by self-study, via the internet, by studying DVD course materials, and through other means. In addition, the proposed rule does require a portion of the required hours to be obtained in a classroom type setting where the audience members have an opportunity to ask questions of the presenter and to participate in a dynamic exchange of information.

Because Idaho law requires any continuing education hours to be reported as part of the annual renewal process, the proposed rule will require each licensee to maintain his or her own individual file documenting the hours attended, the course materials provided, the course sponsor, and so forth. Random audits of individual licensees may be performed by the Bureau of Occupation Licenses to confirm that the licensee has met the continuing education requirements of the law.

The IFSA Board of Trustees has had discussions with the State Board regarding the draft rule and supports the terms and conditions of the draft rule. The Association believes the continuing education requirement will be a positive for Idaho funeral service and for licensees.


-Ken Mallea, Executive Secretary



Convention Wrap Up-Thanks

Thanks to everyone who participated in our 2009 Annual Convention! We had a good turnout of both members and suppliers. The Shore Lodge did a great job accommodating our needs, as well as, providing us with a beautiful backdrop and great facilities. I was particularly glad to be able to put a face to the voices I hear over the phone in our IFSA offices. Thanks again for your participation. I look forward to seeing you all in Jackson Hole in 2010.

Leisa Hiatt



Thank You – IFSA Convention Sponsors!

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NFDA Alerts FD to Flu and Pandemic Protocols

Handling Deceased Persons

The CDC is reporting to NFDA that there is little to no chance of contracting the H1N1 virus from the body of a deceased person who died or is thought to have died of H1N1 influenza because the virus becomes inactive at death. Therefore, standard universal precautions for handling human remains should provide adequate protection.

The primary risk that you face as a funeral director is with people who may have come into contact with the infected person prior to their death, and, therefore, may themselves be contagious (i.e., family, friends, etc.). You may encounter these contagious individuals when they come into plan the funeral for their loved one or at the visitation/funeral/memorial service.

The CDC recommends the following strategies to all people in order to minimize risk/exposure to the H1N1 virus:

- Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it.
- Wash your hands often with soap and water, especially after you cough or sneeze. Alcohol-based hands sanitizers (containing at least 60 percent alcohol) are also effective.
- Avoid touching your eyes, nose or mouth. Germs spread that way.
- Try to avoid close contact with sick people. Influenza is thought to spread mainly person-to-person through coughing or sneezing of infected people. If you get sick, CDC recommends that you stay home from work or school and limit contact with others to keep from infecting them.
- If you must be in contact with people who are known to have swine flu or who may be infected, the CDC recommends "social distancing" - maintaining a distance of six feet from anyone who may or is known to be infected.

The CDC released "[Post-mortem Care and Safe Autopsy Procedures for Novel H1N1 Influenza](http://www.cdc.gov/h1n1flu/post_mortem.htm)". It can be found at web address http://www.cdc.gov/h1n1flu/post_mortem.htm.

Preparing Your Funeral Home for a Pandemic

While H1N1 outbreak has not escalated to the level of a pandemic, this is an evolving situation.

Funeral directors will play a very important role in the event of a mass-fatality event, like a pandemic flu, particularly as large number of people will be grieving the deaths of their loved ones. Funeral directors will be counted on to provide the same high level of care and compassion for families during such a challenging time as they do today.

Here are some things you will need to consider as your funeral home plans to handle any pandemic.

Work Force:

- Expect to double or even triple the number of calls your funeral home will receive over a 10- to 12-month period. Most likely they will come in three surges, each lasting about six to eight weeks: one at the beginning of the outbreak, another about four weeks after the end of the first surge and a third about four weeks after the end of the second surge.
- Plan for additional staffing during a pandemic situation (Are there tasks which can easily be delegated to retired funeral directors in the area, mortuary school students and, finally, to volunteers from church or civic groups?).

Dispositions:

- Crematoriums and cemeteries must look at surge capacity within their facilities.
- Cremations, which have fewer resource requirements than burials, may be a more expedient and efficient way of managing large numbers of remains.
- If the body is not to be cremated, plans to expedite the embalming process should be in place.
- Remains may need to be stored temporarily before embalming, after embalming or for the duration of the pandemic wave (four to six weeks), so funeral directors should work with local medical examiners/coroners and public health officials to address such a situation, which may include refrigeration, temporary interment or storage in vaults.

Death Certificates:

- In a pandemic, there could be as many unattended deaths as attended deaths. The former will require that the remains be processed by the medical examiner or coroner. In a surge situation with a reduced workforce and doctors otherwise occupied, it is expected that death certificates will be batch processed on a daily or weekly basis. The latter will be processed normally.
- Plan in advance for this situation and the potential delay in receiving remains or obtaining a death certificate.

Infection:

- Take special precautions to protect yourself and your employees from infection. Go to www.pandemicflu.gov and download the Pandemic Flu Business Checklist.
- Making arrangements for visitations, memorial services and gravesite services may be a concern because of possibility of contagion.
- Consult with your local or state public health officials to determine if such gatherings would be permissible. If not, you should plan now how to conduct all of these activities in a restricted environment.
- All staff shots and vaccinations should be up to date.

Supplies:

- Stock at least six months of supplies to handle the first wave of a pandemic.
- Families with multiple deaths are unlikely to be able to afford multiple higher-end products or arrangements.
- Your funeral home could quickly run out of lower-cost items, so be prepared to offer alternatives or plan to have these items in stock.
- Contact suppliers and develop a plan for timely delivery in the event of a pandemic.

Transportation:

- Transporting bodies from place of death or morgue to the funeral home and then to the place of burial may become an issue. Transporting remains from the place of death to their hometown may also be difficult, especially if air service is restricted.
- Work with your state and local emergency response and public health officials to plan for these eventualities, especially in a surge environment.

Religious and Ethnic Groups:

- Reach out now to religious and ethnic leaders in your community and involve them in planning for funeral management, bereavement counseling and communication. This is especially important in communities where large numbers of people do not speak English and where traditional funeral and burial rituals and ceremony may have to be curtailed.

Preneed Contracts:

- A funeral home may not be able to fulfill the terms and conditions of a preneed contract due to the unavailability of specific merchandise or other conditions.
- Consult with the state attorney general or local city/ county attorney to provide some sort of legal immunity against a lawsuit that might be filed for noncompliance due to the pandemic.

More information on preparing your workforce and workplace for a pandemic can be found on the U.S. Department of Labor/Office of Safety and Health Administration Website.

Prevention of Illness in Well Employees

Spread of this novel influenza A (1N1) virus is thought to be happening in the same way that seasonal flu spreads. Flu viruses are spread mainly from person to person through coughing or sneezing by people with influenza. Sometimes people may become infected by touching something with flue viruses on it and then touching their eyes, mouth, or nose.

Protecting Employees:

- Encourage sick workers to stay home and away from the workplace, and provide flexible leave policies.
- Encourage infection control practices in the workplace by displaying posters that address and remind workders about proper hand washing, respiratory hygiene, and cough etiquette.
- Provide written guidance on influenza A (H1N1) flu appropriate for the language and literacy levels of everyone in the workplace. Employers should work closely with local and state public health officials to ensure they are providing the most appropriate up-to-date information.
- Provide sufficient facilities for hand washing and alcohol-based (at least 60%) hand sanitizers (or wipes) in common workplace areas, lobbies, restrooms.
- Provide tissues, disinfectants, and disposable towels for employees to clean their work surfaces, as well as appropriate disposal receptacles for us by employees

One study showed that influenza virus can survive on environmental surfaces for up to 8 hours after being deposited on the surface. To reduce the chance of spread of viruses, disinfect commonly touched hard surfaces in the workplace, such as work stations, counter tops, door knobs, and bathroom surfaces by wiping them down with a household disinfectant.



October 25-28
 Boston Convention and Exhibition Center
 Boston, Massachusetts

NFDA

Get Real-time Information on Pandemics, Disasters from Homeland Security

As a result of NFDA's work with the Departments of Health and Human Services and Homeland Security on pandemic flu, mass-fatality management, and natural and man-made disasters, NFDA members have been invited to join the Homeland Security Information Network Health and Public Health (HSIN-HPH) Sector Web portal.

The HSIN-HPH Web portal is designed specifically for those responsible for collecting, analyzing, and using that information to protect our nation's healthcare and public health infrastructure. HSIN-HPH was developed to give the government and private sector a tool that enables the timely exchange of information in preparing for and responding to disease outbreaks, natural disasters, terrorist attacks, and other incidents.

The content of the site includes:

- Incident information – continuous updates during all-hazards events
- Alerts, warnings and notifications of credible threats
- Effective practices and protective measures for private sector organizations
- Policy analysis and research reports
- Access to subject matter experts

To register for HSIN-HPH access:

Step 1: Go to: <https://connect.hsin.gov/hph/event/registration.html>.

Step 2: Complete all required fields. Note: Be sure to retain your password as it will be required to access the website.

Step 3: Press "Submit" once form is completed.

Step 4: Upon submitting the form, an email receipt will be to the email address provided which will contain information on the timeframe for application processing and contact information for further assistance.

Access to this information will be invaluable in planning for and responding to mass-fatality incidents in your community. NFDA encourages each member, state association executive, state and national association leaders to sign-up now. For more information, contact NFDA Sr. Vice President of Advocacy John Fitch at jfitch@nfda.org.

NFDA Releases Green Funeral Service Q&A

NFDA has released "green Funeral Service Questions and Answers," designed to enhance the understanding of funeral directors about what it means to be "green" in funeral service. The guide offers definitions of a green funeral home, a green funeral, green burial and a green cemetery. It also addresses issues such as how a funeral director can facilitate a natural burial if there are not green cemeteries in his or her community; formaldehyde-free methods of preserving a body for viewing; ways to discuss green funeral options with consumers; and strategies for creating a green funeral home.

According to the document, there are many shades of green possible when planning a green funeral, based on the consumer's preferences, funeral home and cemetery capabilities, and local laws and regulations.

Funeral directors can obtain the full document under the "Resources" section on NFDA's Website.

FTC Extends "Red Flag" Regulation Compliance Deadline

NFDA just received word that the Federal Trade Commission (FTC) has extended the compliance deadline for its "Red Flag" regulations from August 1 to **November 1, 2009**. [The extension was granted](#) to give creditors and financial institutions more time to review the regulations and develop and implement written identity theft prevention programs.

The "Red Flag" regulations were issued as part of the Fair and Accurate Credit Transactions Act of 2003 and requires creditors and financial institutions to implement written identity theft prevention programs to deter, prevent and mitigate identity theft in connection with credit provided to consumers.

According to NFDA General Counsel Scott Gilligan, if your funeral home undertakes any of the following actions, it must institute and approve an identity theft prevention program by the new compliance deadline of November 1:

1. Regularly enters into arrangements with at-need or pre-need consumers that allow them to pay for funerals in multiple installments.
2. Regularly sells preneed insurance policies as an agent for an insurance company that allows a consumer to purchase the policy through multiple installment payments.
3. Regularly refers consumers to consumer financing companies that extend credit to consumers to purchase funerals.

Gilligan has prepared funeral service-specific information about the FTC "Red Flag" regulations, including a "Sample Identity Theft Prevention Program." NFDA members can download the information from the [NFDA Website](#) or find it in the July 2009 issue of The Director.

Known Shipper Regulations Take Effect

Funeral homes are now (deadline of August 1, 2009) required to be register as a "known shipper" with each airline they use to ship bodies; the application process includes an inspection and payment of an inspection fee.

The TSA's "known shipper" policy is not new; Congress just recently mandated TSA and the airlines to strictly enforce it. TSA originally developed the "known shipper" policy in 2004 as a way to "impose significant barriers to terrorists seeking to use the air cargo transportation system for malicious purposes." As this policy was being developed five years ago, NFDA Advocacy Division staff met with TSA representatives to discuss the potential security threat presented by the shipment of human remains by air. NFDA staff outlined the typical procedures and chain of custody involved in preparing human remains for air shipment. At that time, TSA agreed that the "known" status of the funeral homes that ship by air, the limited access to the preparation room and the transportation procedures used created a minimal security risk.

Congress and TSA have revised their assessment, however, and have identified the shipment of human remains as a potentially serious security risk requiring stricter security measures.

Spotlight

Increase in Minimum Wage

Effective July 24, 2009, the minimum wage established by the Fair Labor Standards Act (FLSA) increased from \$6.55 to \$7.25 per hour. FLSA established minimum wage, overtime pay, record-keeping, and youth employment standards affecting employees in the private sector and in the Federal, State, and local governments.

Covered non-exempt employees must receive overtime pay for hours worked over 40 per week at a rate not less than one and one-half times the regular rate of pay. Employers must display an official poster outlining the requirements of FLSA. If you need an updated federal minimum wage poster, you can download one free from the Department of Labor Website at www.dol.gov/esa/whd/minimumwage.htm.

NFDA Funeral Career Center Adds Free Resources

NFDA's Funeral Career Center just added several free resources to help job seekers compete in an increasingly challenging job market. The Funeral Career Center is the profession's exclusive resource for online employment connections.

According to career coaches at LiveCareer.com, "In just 10 seconds, a hiring manager will decide if you fit the job or not. If your resume does not make an impact in these first few seconds, you have missed the opportunity." Through a partnership with Live Career, visitors to the Funeral Career Center can obtain a free resume guide. After filling out a brief registration form and answering a few questions, job seekers will receive a personalized 23-page resume evaluation and guide. The guide will help job seekers determine if their resume can pass the "10-second scan" and highlights their strengths, and offers advice on how to fix common resume mistakes and generate more interviews.

Job seekers who would like a Certified Professional Resume Writer's opinion about how they can make their resume stand out from the crowd can take advantage of a free resume critique from the experts at GetInterviews.com. After filling out a brief registration form, job seekers can upload a copy of their resume and receive an evaluation.

Both of these free resources can be accessed by visiting <http://www.funeralcareers.org> and clicking on "Free Career Advice."

The NFDA Funeral Career Center is an online employment resource for both job seekers and employers within funeral service. Job seekers will save time and money by applying for jobs online, with immediate access to funeral service-specific jobs as they become available. They can upload their resumes confidentially and for free, and will receive email alerts when new postings are uploaded that match their profiles.

Employers are able to place ads, review posted resumes, and access special online reports that keep track of multiple job postings. The Website offers targeted searches so that employers receive only the resumes that fit their specific criteria.

NFDA Urges FTC to Strengthen Funeral Rule Following Burr Oak Cemetery Tragedy

This week, the National Funeral Directors Association (NFDA) called on officials at the Federal Trade Commission (FTC) to extend the Funeral Rule, the federal regulations governing the nation's funeral homes, to cover all sellers of deathcare goods and services. Over the past 20 years, NFDA has been joined by consumer groups, such as AARP, in repeatedly petitioning the FTC to expand the Funeral Rule to cover all sellers of funeral goods and services, including cemeteries and crematories.

In a letter to FTC Chairman Jon Leibowitz, NFDA CEO Christine Pepper, CAE, reiterated the association's call for increased consumer protection under the Funeral Rule. In her letter, Pepper states: "Any time the government extends regulations over sellers in an industry or profession, it has the effect of curtailing the opportunity for abuse. If a seller is not licensed, not inspected and not regulated by federal, state or local governments, it operates in a free-for-all world where there is no accountability for any transgression... NFDA, AARP and other organizations have documented the harm that consumers have experienced... The FTC has refused to even investigate these complaints by arguing (without any support or evidence) that the practices are not pervasive throughout the industry. As a result, cemetery and crematory consumers continue to suffer from these reoccurring scandals."

This letter comes on the heels of the events surrounding Burr Oak Cemetery in Alsip, Ill. In July, Illinois authorities and the FBI launched an investigation into the illegal exhumation of hundreds of bodies that were allegedly dumped in a mass grave so that cemetery plots could be resold. Authorities report that thousands of the dead remain unaccounted for by their families.

NFDA Sponsors Mobile Museum of Funeral Customs

The National Funeral Directors Association (NFDA) today announced its sponsorship of Reflections: The American Funeral, a mobile museum designed to educate and inspire both the public and funeral service professionals about American funeral customs and the caregivers who attend to those in mourning.

This historical perspective on funeral customs and traditions is spread throughout 1,000 square feet of thoughtful display areas, beginning with Native American burial mounds and ending with the diverse rituals practiced across the country today. Stories are brought to life through dynamic graphics, original artifacts and replicas, and multi-media at nearly a dozen exhibit stations.

Reflections: The American Funeral has been touring across the United States since summer 2008, stopping at state capitols, universities, veteran events, mortuary schools, funeral homes and industry conventions. During January's presidential inauguration celebrations, both Arlington National Cemetery in Washington, D.C., and Fort McHenry National Monument and Historic Shrine in Baltimore, Md., hosted this mobile museum.

A visit to Reflections is approved for .1 (one hour) of continuing education credit by the Academy of Professional Funeral Service Practice and some state boards. Licensed funeral service professionals should check with their state licensing board beforehand regarding credit. Please see the NFDA web-site for a schedule of museum stops.



Aftercare With Intention

By Rebecca Hauder

If you've ever experienced the death of a close loved one, you'll likely remember how tough the emotions of grief were. The vacancy created may well have challenged many dimensions of your life including the physical, emotional social, and spiritual. You might remember long nights of tossing and turning, a stomach rebelling at the sight of food, emotions of an intensity never experienced before, a concentration span of less than a minute, withdrawing from friends and family, and asking "where is God in all of this?" You may also recall how well meaning persons expected you to be "over your grief" about the time you were struggling the most. Perhaps you wondered if you'd ever feel normal again!

Now, with your personal grief experience in mind, reflect on the aftercare services you provide families as you strive to help meet their unique and specific challenges. Allow the following questions to guide your thinking:

- Do you maintain regular and consistent contact with the bereaved through a phone call or mailing, for up to a year after the death?
- Do your bereavement resources provide suggestions for handling the physical, emotional, spiritual and social aspects of grief? It is a proven fact that the stress of grief makes one susceptible to illness and a variety of health-defeating behaviors.
- Do the written materials you provide take into account the bereaved's ability to take in only bite-size pieces of information at a time?
- Do you provide information for handling the holidays and other special occasions?
- Do you encourage social support by providing a list of community resources or sponsoring your own support groups?

By keeping these things in mind, you will make a positive impact on the overall health of the bereaved and create lasting good will, a key to future connections and referrals!

Rebecca Hauder has worked for more than 25 years in the field of grief and bereavement: 12 years in the hospice setting as a Registered Nurse and Bereavement Coordinator, and the past 13 years with bereaved clients in her private counseling practice. She has led numerous workshops on grief and loss in the United States and abroad. In addition to her private practice, she serves as an adjunct professor in the Department of Counselor Education at Boise State University, Boise, ID, and also promotes her Resources For Grief™ products designed for Hospices, Funeral Homes and individuals. www.resourcesforgrief.com

More Scams

There are a number of reports from NFDA members who have been contacted by scam artists recently. Scammers contact funeral homes in a variety of ways (fax, e-mail, relay operators, phone) and the calls can originate from anywhere in the world. Most recently, members have reported receiving calls or e-mails from individuals wishing to ship bodies within the United States. To minimize your risk of falling victim to a scam, please take these guidelines in consideration:

- Be wary of requests to ship anything to an international address.
- When an American citizen dies overseas and the remains must be returned to the U.S., the nearest embassy or consulate issues a certificate to accompany the casket. You can verify the legitimacy of a death overseas by contacting the State Department's Overseas Citizens Services office at 888-408-4747.
- Be wary of suspicious e-mails sent from addresses associated with a free e-mail service (Yahoo, Hotmail, Gmail, etc.). These require no billing and are very difficult to trace.
- Simply because a charge goes through on a credit card does NOT mean it is legitimate.
- Never wire funds back to a consumer, especially overseas.
- Never ship merchandise until you verify that funds have cleared, or sit in your account already.
- Be suspicious of orders involving several pieces of the same merchandise.
- Do not reply to requests for your personal or banking information
- Be skeptical of requests asking for help in placing large sums of money in an overseas bank account

If you are contacted by a scammer, you can register a complaint with the Federal Trade Commission (www.ftc.gov/sentinel).

Top 10 Reasons Why "America's Affordable Health Choices Act of 2009" is the Wrong Approach for Funeral Service and Small Business

NFDA's Advocacy team in Washington, D.C. is closely monitoring the progress of H.R. 3200, the "[America's Affordable Choices Act of 2009](#)" in the House of Representatives. Last month, the bill was approved by the three committees which have oversight on health care legislation: the Ways and Means, Education and Labor, and Energy and Commerce Committees. In the coming weeks, the three committees will work together to prepare the legislation for debate on the House floor in September.

There are a number of provisions in H.R. 3200 which, if ultimately passed, may adversely impact funeral service, and small business in general. Here are the NFDA Advocacy team's top 10 reasons why H.R. 3200 is wrong for funeral service and small business:

1. An Employer Mandate—The bill includes an employer mandate that will require employers to offer healthcare to full-time and part-time employees. Since most NFDA members use part-time employees to supplement their full-time staff, this provision alone would have devastating effects on NFDA member firms.

2. Payroll Tax Penalty - Payroll taxes are an especially onerous tax, because they tax labor rather than profits. No matter how profitable or unprofitable a business might be, they are forced to pay this tax. The legislation requires that all employers with a payroll of \$250,000 or more pay a payroll tax of up to 8 percent if they do not provide "qualified" health insurance to their employees. The taxes punish wage and job growth since the tax rate increases as payroll increases. If an employer chooses to add a worker or increase wages, the rate of tax on that employer may continue to go up. Even the smallest wage increases could trigger an additional tax, since the wage rates at which the tax is applied are not subject to inflation. Simply put, this is a tax on job growth and an employer's incentive to financially reward its employees for excellent performance. Note: one version of this bill, as approved by the House Energy and Commerce Committee, would raise the \$250,000 threshold to \$500,000. However, it remains to be seen whether that provision will be included in the final bill.

3. Pay-or-Play, Pay-and-Pay and Offer-and-Pay- H.R. 3200 establishes a confusing multi-part test that hits employers who do and do not offer health insurance. A non-offering employer will pay a payroll tax of either 2, 4, 6 or 8 percent. Offering employers must: 1) Offer "qualified" individual and family coverage as defined by a government appointed board. 2) Make premium contribution requirements of at least 72.5% for individuals and 65% for family plans. If the employer offers, but the employee declines and obtains coverage in the exchange, then the employer must pay the payroll tax penalty of up to 8 percent. If an employer offers coverage other than the "qualified" plan, they can be assessed a penalty of up to \$100 per day/per employee. **Consequences:** In addition to the financial penalties, new taxes and onerous government involvement in the healthcare of you and your employees, these approaches lead to potentially higher costs and many small business employees not being able to keep the plan they have today.

4. A Mandated Minimum Plan with a Big Price Tag—Small employers and their employees want the ability to choose from a variety of affordable plans. However, H.R. 3200 gives a political board the power to define "coverage" and will determine whether an employer plan is "acceptable." The bill does nothing to ensure that the new plans will be less costly than what small employers are paying today and even requires small employers to cover certain services that they are exempt from under current federal law.

5. An Exchange that Limits Access to All Small Businesses—Small employers have long sought a simpler and more efficient way to shop for insurance. Although NFDA believes that an exchange approach can provide a streamlined and simplified way to gain access to affordable coverage, H.R. 3200 fails to provide guaranteed access to the exchange for employers with 21 or more employees. Providing increased access and more choices for some, but not all small business is not reform that NFDA can support.

6. An All-powerful Insurance Czar—The "Health Choices Commissioner" will have unbridled authority to institute rules and regulations that greatly affect small employers, including the ability to define who is and is not a full-time and part-time employee. Thresholds set forth by an unelected commissioner would be subject to continual changes, leaving small business owners in constant fear of ever-changing compliance requirements.

7. The Government-Run Public Option—As advocates for competition and choice, NFDA is deeply concerned that a "public option" would further compromise the viability of private insurance and would restrict choice to a single plan: the government-run plan. Instead, a reformed, private insurance marketplace can provide businesses and employees with more affordable coverage and a sustainable choice of plans.

8. The Surtax: A Tax on Job Creation—The surtax imposes an additional tax on some businesses reducing after tax profits at a time when small businesses are struggling to find capital. Because many NFDA members are structured as pass through entities, they pay their business taxes at the individual level. More than one-third of small businesses employing 20 to 250 employees would face the tax. The businesses most likely to face this tax employ 33.5 million American workers - more than one-quarter of the American workforce.

9. Jeopardizes Options That Small Employers Have Today—As written, H.R. 3200 appears to limit the use of Health Savings Accounts (HSA) - jeopardizing a health insurance option that many NFDA members have and use today. In addition to the bill limiting the sale of individual plans in the future - a key component of an HAS - a congressional committee adopted an amendment prohibiting individuals from using HSA funds to purchase over-the-counter health products. This further limits the utility of this health insurance option, making it harder for people to "keep what they have."

10. An Employer Tax Credit with Limited Value—While some small businesses can be helped by tax credits, the structure of the credit is critical to its successes. For example, funeral homes (with 25 or fewer employees) would be eligible for a subsidy of up to 50% of the cost of health insurance for employees. Businesses that have an average annual salary per worker of \$20,000 or less get the full subsidy, with the credit phasing out at \$40,000. U.S. census data from 2007, notes that the average wage of full-time employees at businesses with fewer than 10 employees is over \$30,000, meaning that in many cases the value of the credit is already cut in half. This could also mean that a small business owner must make trade-offs when compensating workers. Increasing wages would have to be measured against the amount of the lost credit, which could lead to workers - especially lower-wage workers - seeing stagnant wages for a longer period of time. Not a good scenario for either the employer or employee!

NFDA is engaged with representatives of other small business groups in lobbying key members of Congress on health care reform that expands healthcare options for small business without placing burdensome and expensive mandates on small businesses like funeral homes. NFDA members can assist in that effort by using NFDA's [Congress-at-a-Click tool](#) to send an e-mail to their representative, urging them to oppose H.R. 3200.

Formaldehyde Best Management Practices

More than 15 years ago, NFDA issued Environmental Best Practices, which were designed to assist members in meeting the high standards of the funeral profession by providing guidelines for protecting the health and safety of the public; the environment in the community in which funeral directors live and work; themselves, their employees and families. Four years ago, NFDA issued the Best Environmental Safety and Health Poster, to be placed on the door of preparation rooms in funeral homes throughout the United States as a reminder of these important principles.

NFDA issues these Formaldehyde Best Management Practices (BMPs) at a time when there are new appraisals about the health hazards associated with formaldehyde. The National Cancer Institute is reassessing the cancer risk from formaldehyde exposure to funeral directors and others, and domestic and international agencies are reconsidering the health and safety risks associated with formaldehyde. The U.S. Congress is investigating the health effects from the formaldehyde exposure of Hurricane Katrina trailer residents. Thus, in the face of formaldehyde's new scrutiny and the absence of definitive and conclusive scientific results, NFDA believes it is important to protect its members by keeping them informed about formaldehyde and its potential risks and to provide members with tools to protect their employees and themselves. NFDA intends that these Formaldehyde Best Management Practices will serve that purpose.

The Formaldehyde Best Management Practices is a working document. It may be updated or modified as important new information about formaldehyde becomes available.

- 1.0 Ensure adequate and effective ventilation in the preparation room. Preparation room ventilation is the single most important factor in reducing health risks associated with formaldehyde exposure. Make sure that the ventilation system in your funeral home's preparation room is properly designed and operating effectively. Consult an HVAC professional to assess the ventilation system, and the heating and cooling needs of the work area.
 - 1.1 Have no fewer than 10 to 15 air changes per hour supplied to the preparation room for each active embalming table.
 - 1.2 Provide a source of fresh, clean air that prevents excessive negative pressure and improves air quality in the preparation room.
 - 1.3 Establish a standard operating procedure for ventilation system activation whenever an individual is in the preparation room.
 - 1.4 Vent waste air from the preparation room HVAC system to the outdoors.
 - 1.5 Monitor the effectiveness of the preparation room HVAC system no less than annually.
 - 1.6 Do not use ozone generators.
- 2.0 Select and use the proper embalming product considering the condition of the remains.
 - 2.1 Make a practice of using the least concentrated solution and reserving the most highly concentrated solution for the most difficult cases.
 - 2.2 Substitute environmentally friendly products for traditional embalming products.
 - 2.3 When mixing embalming solutions, always add arterial fluids to water.
- 3.0 Take precautions in the preparation room to limit formaldehyde exposure and emissions during routine embalming.
 - 3.1 Institute work practices to avoid formaldehyde spills, and if spills occur, clean spills of formaldehyde immediately.
 - 3.2 Always keep the lid on the embalming machine.
 - 3.3 If embalming wastewater is discharged into a sink, always use a sink cover to limit splashing and exposure.
 - 3.4 Use all appropriate personal protective equipment to avoid skin and eye contact with formaldehyde-containing products (and any chemical products of any type).
 - 3.5 Limit exposure to formaldehyde and bloodborne pathogens through the use of a drain tube.
 - 3.6 Follow the funeral home's written 30-day cleaning, decontamination and inspection schedule to ensure proper functioning of eyewash stations and emergency drench showers.
- 4.0 Observe special precautions to limit formaldehyde exposure and emissions when embalming organ procurement cases and autopsied remains, as such embalming may increase the embalmer's formaldehyde exposure risk.
 - 4.1 Employ a local exhaust ventilation (LEV) system for added capture of formaldehyde emissions.
 - 4.2 Employees may elect to use a properly fitted respirator even when measured exposure limits do not exceed OSHA standards.
 - 4.3 Carefully monitor and restrict the use, to the greatest extent possible, of the most highly concentrated formaldehyde products, such as osmotic gels, hardening compounds and disinfecting sprays.
- 5.0 Be familiar with and follow all federal, state and local environmental, OSHA and health requirements that apply when embalming is performed. Various environmental, OSHA and health requirements apply when an embalming is performed. Often, product selection will govern the application of these requirements. Periodically review and re-evaluate the products used in the preparation of remains. Know the constituents of the products and the requirements that these constituents make applicable.

Footnotes

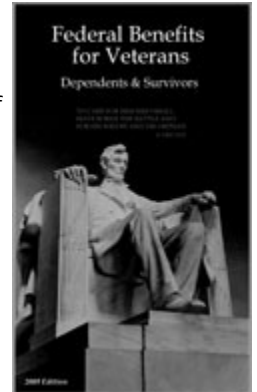
- 1 Please refer to www.state.nj.us/health/surv/documents/fuhomeevent.pdf for information on calculating and confirming air changes per hour in your preparation room.
- 2 Be sure to follow OSHA formaldehyde exposure monitoring requirements, which necessitate monitoring anytime there is a significant change in the preparation room, such as the installation of new equipment, a change in the ventilation system itself, a renovation of the preparation room, the introduction of a new chemical product containing formaldehyde, the introduction of new procedures, an increase in the number of preparations conducted or when a new embalmer is assigned and begins work in the preparation room.
- 3 If a respirator must be used when OSHA exposure limits are exceeded, be sure to institute a full written respirator protection program that includes a medical evaluation and clearance of all individuals required to use the respirator.

“Federal Benefits for Vets” Brochure Available

The 2009 edition of Federal Benefits for Veterans, Dependents & Survivors, published by the Department of Veterans Affairs (VA), is now available online at no charge or in printed format for \$5 per copy.

The 162-page brochure contains a summary of the broad range of product and service benefits the VA provides for eligible veterans, as well as their spouses and dependents. Chapter 7, “Burial and memorial Benefits,” offers funeral and burial professionals a great summation of the eligibility requirements for interment in a VA-operated or private cemetery, as well as info concerning military honors and reimbursement of burial expenses. Follow-up contact information is also abundant, which should help any funeral or burial professional address their immediate needs when serving the family of a veteran or their spouse/dependents.

All of the information within this brochure is current as of January 1, 2009. The PDA version is available for free at www1.va.gov/OPA/vadocs/current_benefits.asp.



Legal Advisory: Recycling Metals

By T. Scott Gilligan, NFDA General Counsel

Recycling companies seeking titanium and other valuable metals that remain from prosthetic devices and implants following the cremation process have approached various funeral homes and crematories across the country. The companies have offered the funeral homes an crematories compensation for reclaiming the metal and shipping it to the recycling company; the recycling company typically provides containers and pays the shipping costs.

Many funeral homes, as responsible businesses, wish to promote recycling and are happy to participate in these efforts. However, NFDA cautions funeral homes that they need to take two steps before participating. First the funeral home must use an authorization form through which they receive the express permission of the family member holding the right of disposition to recycle materials from prosthetic devices and implants. Written consent should be obtained in each case.

A funeral home must also review its particular state law to ensure that there are no problems in recycling of materials after cremation. Some states prohibit funeral homes from selling any material or device that remains after cremation of a decedent. If it sale of these types of devices is not prohibited in your state, NFDA recommends that funeral homes consider donating the compensation to avoid any appearance that the funeral home is improperly benefiting from the recycling program.

Green Terms

Being green in funeral service is a natural consequence of today's American eco-consciousness. Consumer lifestyles and values, whether environmental, spiritual, philosophical or conservation oriented, are reflected in consumer attitudes toward products and services in the market and affect decision making. This includes attitudes toward death and funerals. Green funeral choices are expected to grow in popularity in the U.S. as this eco-consciousness grows. Following are a few “green” terms to help you navigate this growing trend.

Air Pollution—particulates introduced into the atmosphere

Alternative Energy—a form of energy not yet widely adopted and which is usually more environmentally friendly than fossil fuels or other traditional energy sources (i.e. solar, wind)

Biodegradable—waste able to be broken down into natural substances and absorbed into the ecosystem (i.e. paper, wood)

Carbon Dioxide—a chemical compound often referred to as CO₂, which is present in the earth's atmosphere and is a key contributor to greenhouse gases.

Carbon Footprint—the sum of all CO₂ emissions induced by the activities of a person or process in a given time frame.

Climate Change—a regional change in temperature and weather patterns which may be linked to human activity over the last century, specifically the use of fossil fuels.

Compact Fluorescents (CFLs) - fluorescent light bulbs that fit standard light sockets and are more energy efficient than regular incandescent light bulbs.

Global Warming—the increase in the average temperature of the earth's near-surface air and oceans.

Greenhouse gas (GHG) - a gas in the atmosphere that contributes to the greenhouse effect, either as a natural occurrence or as a result of human actions.

Low Emissivity (low-E) windows—window technology that reduces how much energy is lost through windows by reducing heat transmission.

Recycling—the reprocessing of previously used material to create usable raw materials

Water Filters—substances or mechanisms that remove impurities from water

Water Quality—the safety or purity of drinking water

Waste Minimization—methods of reducing how much waste is generated by a process

In Case you Missed it....

SC Funeral Director's License Revoked

The South Carolina funeral board has revoked the licenses of a funeral home and its director for cutting the legs of a 6 foot 7 man so his corpse would fit in a casket.

State licensing spokesman Jim Knight says the Board of Funeral Service also fined Michael Cave, of Cave Funeral Services in Allendale, \$500 and ordered him to pay \$1,500 for the investigation.

Ever since preacher and funk musician James Hines died in 2004, his family had wondered how his 6 foot 7, 300 pound body fit into the standard-sized casket they picked out. After years of rumors, authorities exhumed Hines' body in April and found, according to his widow, that his legs had been cut off between the ankle and calf.

Lawsuit against Batesville Casket denied

The Funeral Consumers Alliance, whose lawsuit against Batesville Casket Co. was denied class-action certification in March, has lost a bid to appeal the decision. The U.S. Court of Appeals for the Fifth Circuit issued the ruling.

Hillenbrand Inc., the parent of Batesville, Ind.—based Batesville Casket, said the alliance has the option of dismissing the case or proceeding with individual claims by three funeral home customers also involved in the suit.

The suit, along with a similar one filed by Pioneer Valley Casket Co., and several other retailers, alleged that Batesville Casket shut out competition from independent casket retailers and colluded with funeral homes to set artificially high prices. The Pioneer suit was dismissed in May.

Rival Funeral Directors dispute interrupts funeral

Middlesbrough, UK—Patricia Thornburn had hoped for a good send-off, with dignity and decorum and a vintage Rolls Royce hearse to take her to her final resting place. It was not to be.

In the middle of her funeral, a funeral director from a rival firm reached inside the waiting hearse and took the keys.

Mourners had to stand around for more than an hour until, in a act of desperations, the undertakers ripped open the walnut dashboard to 'hot wire' the venerable vehicle.

The deceased had been an unwitting victim of a dispute between rival funeral directors. David Wood, 49, of Middlesbrough, exacted his revenge because he believed that his rival, Joel D. Kerr, had been poaching his business in Stockton.

The damage to the Rolls Royce required costly repairs. The keys, which were flung away as Wood fled, have never been recovered.

Recorder James Goss sentenced Wood to a suspended six month prison sentence. He was order to pay prosecutions costs and a compensation hearing will be held later.

Getting the Message?

Americans love the convenience and sense of security cell phones give us. The number of cell phones is growing and they're being used in more ways than just talking—such as text messaging, picture messaging, and Internet surfing. Has this useful device become a danger in the hands of inconsiderate users and distracted drivers? Recent studies and news stories seem to confirm that driving and texting is a very dangerous combination. With all the distractions facing drivers—both inside and outside the vehicle—don't add to the situation by trying to send a text message while driving. Make your employees aware of the dangers of texting while driving, whether they're on the job or on their personal time. We should all think twice before putting our cellular phones into text mode when we're behind the wheel. Some large corporations have established bans on use of cell phones while driving on company business—both as a safety precaution for their employees and to avoid possible liability. We urge you to consider this or other safety measures to encourage sensible use of cell phones in vehicles.

All in the Family

In Memorandum

Jean Beatty, the former owner of Potter Funeral home in Emmett, died last month. Glen, her husband, was very active with the NFDA. IFSA has a copy of her obituary if you are interested. Please contact Leisa at the IFSA Offices.

Idaho Pandemic Plan

Bill Malcom has been working with the Idaho State Health Department to develop a plan that involve s funeral directors in disaster preparedness. He recently attended meetings on mass Disaster preparedness and Surge Capacity Planning. He will be contacting our district leaders to set up meetings for IFSA members.

Seeking Employment

IFSA has recently received inquiries from several persons seeking employment as Apprentice Funeral Directors, and as a Funeral Directors. Please contact Leisa for a copy of their resume's.

For over a century, Federated Insurance Companies has provided peace of mind to business owners through valued insurance protection. Nearly 400 trade associations and industry organizations recommend one or more of Federated's programs. The Company is rated A+ (Superior) by A.M. Best. Federated is also included in the Ward's 50 Benchmark Group of companies that have excelled at balancing financial safety, consistency, and performance.

Federated Insurance offers a wide range of insurance coverage. Our knowledgeable Marketing Representatives are not limited to only servicing the Property and Liability needs of our clients; they can also provide quality Life and Disability Insurance products.



Contact the Marketing Representative in your area:

Caleb Creagan	Southeast Boise	208-695-5995
Jason Littlefield	Idaho Falls	208-757-1420
Trevor Meier	Eagle, Caldwell, Emmett, McCall, NE ID	405-535-9335
Cam Olson	Northeast Boise	541-324-3836
Chase Roy	Meridian Nampa, Kuna, NW Boise	208-631-1526
Dave Schlesinger	Twin Falls	208-420-6853
Nikki Woodland	Idaho Falls	208-881-1704

"I have never killed a man, but I have read many obituaries with great pleasure."

-Clarence Darrow

calendar

2009

October 12 (Monday)COLUMBUS DAY

October 25-28 NFDA Annual Convention Boston, Mass

October 31 (Saturday)Halloween

November 3 (Tuesday)Election Day

November 11(Wednesday).....VETERANS DAY

November 26 (Thursday).....THANKSGIVING

December 25(Friday)CHRISTMAS

**Idaho Funeral Service
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208.888.2730**