



IFSA 2010 2nd Quarter Newsletter

2010 Three State Convention June 20–22, 2010 Jackson Hole, Wyoming

an

Idaho Funeral
Service Association
Quarterly Publication

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As you know we are well under way and in the final stages of preparation for our 2010 Three State Funeral Service Conference of the Northern Rockies. This convention is being held in beautiful Jackson Hole, Wyoming June 20 –22, 2010.

As of the date of this publication we currently have 12 member firms registered from Idaho with similar numbers from Montana and Wyoming. There are 25 registered sponsor and exhibitors. This is a great opportunity to take a quick vacation, interact with your peer and see products and merchandise first-hand.

Our speakers will be informative as well as entertaining. We also have the privilege of hosting the current NFDA president as our NFDA representative.

Please show your support and register as soon as possible. There are still rooms available at the SnowKing: 1-800-522-KING. There are downloadable copies of the brochure and registration form on our IFSA website. See you in Jackson Hole!

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INSERT:	
Funeral Consumer Alliance of ID	



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.

Officers

<u>President</u> Laine Eckersell (208) 745-6604	<u>Second Vice President</u> Steve Gordon (208) 376-5400
<u>First Vice President</u> Kevin Rosenau (208) 316-7171	<u>Past President</u> Doug Webb (208) 852-0531

Trustees

<u>Coeur d'Alene District</u> Eli Yates ('09-'14) (208) 664-3151	<u>South Central District</u> Kerry Morrison ('08-'13) (208) 436-1800
<u>Eastern District</u> Craig Geary ('07-'10) (208) 357-3231	<u>Treasure Valley District</u> John Buck ('09-'12) (208) 365-4491
<u>Lewis & Clark District</u> Bill Malcom ('08-'11) (208) 743-4578	<u>Trustee At Large</u> John Yraguen (208) 442-8171

State Board of Morticians Appoints New Member

Congratulations to F. Duayne Simms of Sims Funeral Home in Soda Springs on being reappointed to the State Board of Morticians. Duayne was originally appointed to the Board in May of 2007, and has been re-appointed by Governor Butch Otter for an additional three year term. Duayne joins John Buck and Dave Hutton currently serving on the Board.

Members must be licensed morticians and Idaho residents for the previous 5 years. Nominees may not have any financial interest in an embalming college, wholesale funeral supply business or casket manufacturing business. Members are appointed by the Governor from a list of 3 nominees provided by IFSA. Thank you members, for your participation in the voting process.

Policy Board Report

The NFDA Policy Board met in Washington, DC on March 6, 2010 in conjunction with the Advocacy Summit.

We discussed advocacy positions that we were going to propose to our Idaho Senators and Congressmen.

There was suggestion by NFDA to have a standardized preneed funeral contract, and it was decided and reaffirms the policy board position that the individual states should control this matter.

One of the new policy positions that I think is a good thing, is included below.

INITIATE OR SUPPORT FEDERAL REGULATION OF ALL SELLERS OF FUNERAL AND/OR FINAL DISPOSITION GOODS OR SERVICES NOT NOW COVERED BY THE FUNERAL RULE

NFDA 2010 Proposed Position

That NFDA work with Congress and/or the FTC to adopt legislation or rules to regulate any entity or individual that sells or offers to sell funeral and/or final disposition goods, or services to the public and who are not now covered by the Funeral Rule.

Background:

In 1984, the Federal Trade Commission (FTC) issued the Funeral Rule that transformed the general business practices of the profession. It remains one of the most comprehensive industry rulemakings in U.S. history. Spawned in the big government era of active consumerism, the Funeral Rule was designed to rid funeral service of so-called deceptive and unfair practices. For the most part, the rule has accomplished its objective. However, as with most government regulatory efforts, it overreached. Not only does it proscribe certain practices; it also details exactly what a funeral director can do rather than leaving that to the natural competitive forces of the marketplace and good business practices. The Funeral Rule was amended in 1994 to update it relative to current marketplace activities. However, by virtue of its definition, the rule only applies to those who sell both funeral goods and services to the public (essentially funeral directors and funeral homes) and not to casket retailers, cemeteries, crematories or other third party merchandise, product or service sellers. They remain unregulated at the federal level and in most states.

For funeral directors, the Funeral Rule has been both a bane and a boon. It has forced many to reexamine their pricing and how they market themselves to the public. For the most part, this process has been beneficial. In addition, the rule has improved the public image of funeral directors giving the consumer more confidence in their dealings with them. Further, the rule has forged a good working relationship between NFDA and the FTC that has led to the creation of the FROP program and other consumer oriented efforts. On the negative side, its enforcement has been haphazard and uneven and continues to paint a skeptical public image of funeral service. However, the real problem with the rule from NFDA's perspective is that it does not recognize the new reality of the marketplace - cemeteries and other third party sellers are now offering funeral and/or final disposition related merchandise and services to the public in a largely unregulated environment. This clearly does not serve the best interests of consumers. If the original intent of the Funeral Rule is still valid, that is, to protect consumers from unfair and deceptive practices, then anyone offering funeral and/or final disposition related merchandise or services to the public should be subject to a similar Federal Rule designed specifically for those entities and their practices. In 2008, the FTC officially closed its review of the Funeral Rule which it began in 1999 with a recommendation that no changes be made to the current rule. It is clear by this decision and in subsequent discussions with the FTC staff that they do not believe regulating other entities under the Funeral Rule would work or would be appropriate. Therefore any efforts to that end would be fruitless.

—Jeff Blackmer
Idaho Policy Board Representative

NFDA

Consumer Protection Legislation On-hold Pending Resolution on an Amendment

The House Energy and Commerce Committee met in May to consider and vote on the "Bereaved Consumer's Bill of Rights Act of 2009" (H.R. 3655). The bill was pulled from consideration at the request of its primary sponsor, Rep. Bobby Rush, D-Ill., because of his concern and opposition to an amendment, co-sponsored by Representatives Phil Gingrey, R-Ga., and Jane Harmon, D-Calif., to exempt non-profit religious cemeteries from the bill. Rush was concerned that for-profit cemetery operators could use the exemption to escape the requirements of the rule.

While there was bipartisan support for the bill, and it most likely would have passed had the amendment not been introduced, it was pulled so committee staff could draft language that would address the concerns of Rush, Gingrey and Harmon. The committee will bring H.R. 3655 back up for consideration when agreement on an acceptable amendment has been drafted, which is expected to in the next few weeks. It is, therefore, vital that you contact your representatives to demonstrate your support for this important legislation. The coming weeks will be critical to passage of this bill in the House.

What is H.R. 3655?

H.R. 3655 would require the Federal Trade Commission (FTC) to initiate a separate rule covering all sellers of funeral or burial goods or services, including cemeteries, crematories and third-party sellers of funeral or burial goods or services.

Why support H.R. 3655?

1. If passed, H.R. 3655 would require the Federal Trade Commission (FTC) to initiate a separate rule covering all sellers of funeral or burial goods or services.
2. If passed, this bill would protect families by requiring cemeteries, crematories and third-party providers to provide the same minimum disclosures you are required to provide under the FTC Funeral Rule.
3. H.R. 3655 would not impose new fines or penalties on funeral homes. The fines that would apply to other providers under H.R. 3655 are the same that apply to you under the Funeral Rule. Few, if any, funeral homes have ever received the maximum fine, and no funeral home has been put out of business because of a fine.
4. What will happen if H.R. 3655 does not pass?

If H.R. 3655 does not pass, it would leave a critical part of funeral service lacking federal regulation. In a dramatically changed marketplace, with new and non-traditional sellers offering many more choices for purchasing funeral or burial goods or services, consumers take a risk in dealing with these providers in a lightly, and sometimes even unregulated, environment.

What can I do to support passage of H.R. 3655?

For years, NFDA members have asked the association, their legislators and the FTC to elevate professional practices for all sellers of funeral or burial goods or services by expanding the Funeral Rule. This is your chance to make this happen! Tomorrow may be too late!

NFDA needs you to take the following action immediately:

Use NFDA's Congress-at-Click tool to send a pre-written email to your representative. Go to www.nfda.org/congressataclick and click on "Take Action."

Call the U.S. House Energy and Commerce Committee at 202-225-2927 and 202-225-3641 to express your support of H.R. 3655 – you need to call BOTH numbers.

Call your member of Congress and tell him/her to contact the Energy and Commerce Committee to express support for H.R. 3655. (Contact info for your congressman is easily found using Congress-at-a-Click, www.nfda.org/congressataclick.)

Tell your funeral service friends, colleagues and employees and ask them to take action in support of H.R. 3655 today! If your friends and colleagues are not NFDA members and, therefore, cannot access Congress-at-a-Click, but they still want to urge their representatives to support H.R. 3655, tell them to visit <http://house.gov/> and use the "Find Your Representative" tool in the upper left-hand corner of the page.

I have questions about this bill; who can I contact?

If you have questions about H.R. 3655, please call NFDA at 800-228-6332 and ask to speak to a member of the Advocacy Division staff.

NFDA Makes Progress on Key Issues During Advocacy Summit Congressional Visits

During its 2010 Advocacy Summit, March 8-10 in Washington, D.C., members of the National Funeral Directors Association (NFDA) made notable progress in advancing important issues with their congressional representatives.

The three key issues that funeral directors discussed with members of the U.S. House of Representatives and Senate included:

1. Ensuring taxpayers who set aside money for their funeral and burial trusts are not penalized for planning ahead by having this money counted as an asset in determining eligibility for the Supplemental Security Income (SSI) program;
2. Urging passage of the "Bereaved Consumer's Bill of Rights Act of 2009" (H.R. 3655), introduced by Rep. Bobby Rush, D-Ill., which would require the Federal Trade Commission to develop a separate rule, similar to the Funeral Rule, that would cover cemeteries and all other sellers of funeral or burial goods or services; and
3. Easing the tax burden for family-owned funeral homes through reduction/elimination of the federal estate tax.

NFDA Senior Vice President of Advocacy John Fitch reports significant progress on two issues that have not received much attention. "Most members of Congress had not heard of Rep. Rush's bill until they met with funeral directors during the Advocacy Summit. Similarly, many members of Congress were unfamiliar with our efforts to codify the SSI exemption for qualified funeral and burial trusts. Following their meeting with constituent funeral directors, several representatives and senators indicated interest in co-sponsoring these bills."

Fitch reported that while estate tax relief is a controversial issue for some members of Congress, most agreed that something needed to be done to ease the burden for small businesses. In a historic first, NFDA members were joined by representatives from the Cremation Association of North America (CANA) and the National Funeral Directors & Morticians Association (NFD&MA) as they made their visits to Capitol Hill in conjunction with NFDA's annual event. This joint effort allowed more than 240 members of the three associations to present a unified position on key federal issues.

Spotlight

NFDA Releases 2010 Resource Catalog

The National Funeral Directors Association (NFDA) has released its 2010 Resource Catalog. Packed with essential tools to help funeral directors strengthen their business operations, educate staff and enhance service to families, this year's catalog features product sets on a variety of topics, including business operations and aftercare, which offer savings of up to \$50.

In addition to consumer brochures, a wide variety of informational and educational materials and specialty NFDA items, the catalog features NFDA Home Study courses that enable funeral directors to earn continuing education (CE) hours without leaving their home or office. Presented by trusted experts and approved for CE hours by the Academy of Professional Funeral Service Practice and most state licensing boards, Home Study courses are available in book, CD (audio), CD-ROM (audio and visual) and DVD formats. NFDA members can purchase many Home Study courses for less than \$100, which includes the product (e.g., book, CD) and CE question set.

This year's catalog features nine new Home Study books that are accredited for up to 10 CE hours:

- *Building Customer Loyalty From the Inside Out* (10 CE hours). Practical tips and compelling examples that provide powerful guidelines for creating customer loyalty. Author: Debra J. Schmidt.
- *Capitalizing on Kindness: Why 21st Century Professionals Need to Be Nice* (10 CE hours). Five powerful tools, based on kindness, that can help ensure individual and business success. Author: Kristin Tillquist.
- *The Eight Building Blocks for Creating a Sustainable, Closely-Held Company* (10 CE hours). Challenges family-business owners to move outside their comfort zone to create and sustain business success. Author: D. Wayne Rivers.
- *Family Business* (10 CE hours). Learn about the knowledge and skills needed for the successful management of family businesses; illustrates ways to achieve sustained growth and continuity through generations. Author: Ernesto J. Poza.
- *100 Ways to Motivate Others* (10 CE hours). In an entertaining style, this book presents proven ways to motivate staff members, thereby ensuring business success. Author: Steve Chandler.
- *Boom! 7 choices for Blowing the Doors Off Business-as-Usual* (10 CE hours). Presents seven key life choices to help professionals put enthusiasm and passion back into their work and their workplace. Author: Kevin and Jackie Freiberg.
- *Think Like a Marketer* (10 CE hours). Presents a new approach to marketing to help business owners ensure marketing gets done and gets results. Author: Lauron Sonnier.
- *Understanding Your Suicide Grief* (10 CE hours). Helps those left behind understand their normal and necessary, yet unique, grief journey. Author: Alan D. Wolfelt, Ph.D.

- *Cry Until You Laugh: Comforting Guidance for Coping with Grief* (10 CE hours). Blends gentle humor with practical advice for the bereaved and the professionals who support them; confronts myths about grief. Author: Richard J. Obershaw.

In addition, funeral professionals will find several 2009 NFDA Teleconferences, Web Seminars and convention workshops presented as Home Study courses:

- "Ethical Thinking in Today's World" (4 CE hours). Explores ethical responsibility and the benefits of ethical behavior; provides guidelines to help funeral directors make the ethical choice. Presenter: Chris Kuhnen.
- "Does Formaldehyde Cause Cancer? How NFDA's Formaldehyde Best Management Practices can Protect You" (4 CE hours). Reviews recent findings on formaldehyde health risks; reviews NFDA's Formaldehyde Best Management Practices; includes information about new, toxin-free embalming products. Presenters: Carol Green and Edward Ranier.
- "FTC Funeral Rule Staff Training" (4 CE hours). Provides an overview of the FTC Funeral Rule compliance requirements, with special attention given to phone inquiries, third-party merchandise and avoiding violations during "undercover shops." Presenters: T. Scott Gilligan and Craig Tregillus.
- "GPL Funeral Packages – Doing Them Right" (4 CE hours). Explores the ways funeral packages can be presented to consumers in a manner that is compliant with the FTC Funeral Rule. Presenter: T. Scott Gilligan.
- "With the Push to Cremate: 5 Reasons to Encourage a Viewing and Ritual" (4 CE hours). Reviews ways funeral directors can communicate the value of viewing and ritual to families that choose direct cremation. Presenters: Susan J. Zonnebelt-Smeenge and Robert C. DeVries.
- "Prepare for the New Employment Regulations" (4 CE hours). Reviews major employment regulations with which funeral homes must comply; special attention given to common violations. Presenter: Stephanie Peters.

The 2010 NFDA Resources Catalog was mailed with the February issue of *The Director*, but funeral professionals can also download a PDF from www.nfda.org/resources or call NFDA at 800-228-6332 for a free copy. All NFDA resources, including the new Home Study offerings, can be accessed and ordered by visiting www.nfda.org/resources or calling NFDA at 800-228-6332.



In Case you Missed it....

Illinois—No More Funerals for the Poor

The state of Illinois is suspending payments for funerals for the indigent. A letter for funeral home from the Department of Human Services announced the cutback, blaming the "General Assembly's failure to approve the revenue plan proposed by Governor Quinn.

"The program doesn't have funding right now," the agency's Tom Green said. Green said the state of Illinois pays about \$15 million a year for about 10,000 funerals for the poor.

"A funeral home makes maybe 50 bucks on these burials", says John Baran of Baran Funeral Home, "by the time you pay the transportation to pick up the body, transportation out to the cemetery, them embalming, and the casket.

Funeral directors predict the bodies will begin piling up at the medical examiner's offices. "I'm sure what is going to happen is all these remains are going to be heading to the morgue," said Bill Andersen, owner of Andersen Funeral Home. Already, some funeral home owners have gotten so tired of waiting for state reimbursement that they've stopped handling indigent burials, Baran said. Andersen said the state owes him \$30,000 for indigent burials.

Illinois is one of a handful of states that offers funding for funerals of the indigent.

Oregon town approves green burials in city cemeteries

Ashland, Ore., residents who want to bury loved ones in an environmentally sensitive way in Ashland no longer have to place the casket or shroud inside a concrete or metal liner or vault.

The Ashland City Council voted last week to allow such "green" burials in city cemeteries. Previously, the Ashland Municipal Code required the use of liners or vaults to prevent settling of the ground at the grave site. City staff members who manage city cemeteries said they expect some settling to occur with green burials, but that the problem isn't anything they can't handle. The city of Ashland made the change because it has been receiving requests from residents that green burials be allowed, said Ashland Public Works Director Mike Faught.

"It's a step forward for those folks who want a natural burial, without having to have a concrete vault," Litwiller-Simonsen Funeral Home and Crematory Assistant Manager Mel Friend said of the recent municipal code change.

With modern cemeteries, bodies began to be buried close together, which is one reason why people started using concrete or metal liners or vaults. If a person is buried without a liner or vault, there is a chance that the integrity of the gravesite could be compromised if a new grave is dug next to it, Friend cautioned.

For a full green burial, a body is not embalmed. It is placed in a biodegradable casket or shroud and lowered directly into the ground, with no liner or vault, he said.

Litwiller-Simonsen Funeral Home and Crematory, located in Ashland, offers green burial services and products, including pine caskets that aren't finished with lacquer or toxic chemicals, sustainably harvested woven seagrass or willow caskets and linen shrouds.

"The purpose is to allow the body to go back to the Earth more quickly than in a metal casket," Friend said. The funeral home offers refrigeration of bodies so that embalming fluids don't have to be used as preservatives.

Litwiller-Simonsen Funeral Home and Crematory has been approved by the Green Burial Council to offer green burial packages. Most of its green burial products have also been certified by the council.

Green burial can be less expensive than traditional burial, depending on which options are chosen.

Traditional steel and wood caskets range in price from \$1,295 to \$8,995, according to prices on the Litwiller-Simonsen Funeral Home and Crematory website. For green burials, a linen shroud with straps that allow it to be lowered into the grave costs as little as \$595, while the highest priced option, a handmade woven willow casket, costs \$1,795.

The lowest cost grave liner or vault, one made of polypropylene, costs \$895, while the most expensive option, a concrete vault, costs \$3,295. Doing away with a liner or vault eliminates that expense.

Friend said there are no plots left for green burials in the city-owned historic Ashland Cemetery on East Main Street or the historic Hargadine Cemetery above North Main Street, but there are plots available for green burials in the city's historic Mountain View Cemetery on Ashland Street.

The privately owned Scenic Hills Memorial Park outside Ashland near Ashland Vineyards does have space for green burials. That memorial park was not affected by the city's previous requirement that vaults and liners be used, Friend said. While green burials may seem new, they actually represent a return to older burial techniques that were common before the 20th century, he said.

"It's a revisiting of the way it used to be," Friend said.

All in the Family

Welcome New Members

IFSA would like to welcome three new associate members:

Urns From the Forest

Urns from the Forest located in Brookings Oregon. Artist Luke Thornton, with over 40 years of woodworking experience, creates handmade, custom-crafted personalized urns.

The wood that he used sets his work apart from commercially made urns. Myrtle and pacific maple, hardwoods with exquisite color, texture and grain patterns, provide inspiration for him to create beautiful and dignified environments. Please visit their website at www.urnsfromtheforest.com.

LifeCenter Northwest

LifeCenter Northwest is one of 58 federally-designated non-profit organ procurement organizations (OPO) in the United States. LifeCenter Northwest saves and enhances lives by facilitating the recovery of organs and tissues in Alaska, Montana, North Idaho, and Washington. By educating the community about the need and importance for people to register their donation wishes, we hope to help the more than 100,000 people waiting for transplant. Please visit their website at www.lcnw.org.

BronzeCraft Memorials

BronzeCraft Memorials manufactures cast bronze identification productions, markers, vases, mausoleum, columbarium identification inscription plaques, monobars (letterbars), plastic vases & bronze ring holders, final date plates, etc. They are located in Wamic, Oregon and are currently developing a website.

Webb Funeral Home moves to new facility

In January, Webb Funeral Home officially opened their new mortuary. This modern, state-of-the-art facility has a formal chapel, three visitation areas, a private family viewing/dressing room, modern preparation room, family room with children's play/toy area, a spacious casket/monument selection room and lots of parking.

"We are excited about our new funeral home and hope that it will serve our community in their time of need for many years to come", said Funeral Director Ron Smellie.



calendar

June 20-22, 2010..... Three State Funeral Service Conference—Idaho, Montana, Wyoming..... Jackson Hole, WY
July 4, 2010.....Independence Day
July 11-14, 2010..... NFDA Leadership ConferenceCambridge, MD

(Please let IFSA know of events you'd like to see added to the calendar)

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