



ADVENT
FUNERAL AND CREMATION
SERVICES



FACSIMILE TRANSMITTAL SHEET

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RE:	YOUR REFERENCE NUMBER:

- URGENT
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NOTES/COMMENTS:

Hope this helps!

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Comments to the FTC "The Rule"

1. The scope of the rule should be expanded to include any commercial enterprise that provides merchandise that is used/required in and for the disposition of human remains, (i.e. burial and cremation merchandise).
2. Redefining the term "funeral provider" should be accomplished to include any commercial enterprise that sells merchandise or services for the disposition of human remains. Also, the terms funeral merchandise and services should be redefined to incorporate all merchandise and services required for and used in the disposition of human remains.
3. Enterprises conducting business in the disposition of human remains should be required by "The Rule" to identify, to the consumer, their minimum requirements for:
 - a. Services such as Embalming: Presently the "canned" or acceptable explanation for embalming does not state what the requirement is of the funeral service establishment. It implies that there may be a law that would require embalming. Which to the best of my knowledge there is none. This so-called disclosure provides the seller an opportunity to imply or misrepresent the requirement, if the seller wishes to require embalming. If the service provider has a criteria for a specific service, (such as requiring embalming for services with public viewing of the deceased) then it should be so stated. It should reflect it is the requirement of the funeral service provider and not imply anything else. There is credence in the need for clarification of the reason for an embalming requirement because a large majority of consumers, when making funeral arrangements (pre- or at-need) still believe that embalming is required by the law, or for shipment within the USA.
 - b. Merchandise such as Outer Burial or Cremation Containers: Providers/sellers, such as cemeteries or crematories should provide to any consumer (business/public) a pricelist or some disclosing document of the minimum requirements and what merchandise they provide or offer.
 - c. Any other minimum service or merchandise requirement of the

provider to minimize the confusion that the service or merchandise is required by some other agency to justify the sale.

Presently and for the most part, funeral homes are regulated in identifying their minimum merchandise available. However, the lack of regulatory guidance of cemeteries and crematories affords these agencies greater latitude and provides an opportunity for deception to the consumer. Example: A sales representative at the cemetery might inform the client/consumer that a vault is required for burial. When in fact, the cemetery only requires as a minimum a concrete graveliner. The sales representative is using the term "vault" as a generic term for any outer burial container, costing the consumer several hundreds of dollars more than necessary. A written disclosure of the cemetery's minimum requirements would certainly aid in preventing such misrepresentations.

4. Response to 16 CFR Part 453, C (28): Should the requirement for a General Price List (GPL) be modified?

If the GPL continues to itemize the various tasks the funeral provider provides, then the need to require a price item such as viewing without embalming should not be necessary. This would be apparent by the disclosure of the providers minimum requirements.

More important than listing the price of each and every possible task/service a provider provides would be to ensure/require the provider to identify its minimum requirements for various services/merchandise, (i.e., "we require embalming if the deceased is to be viewed publicly....").

It would be beneficial to also express, in the GPL, what the minimum requirement for merchandise of a servicing agent, (i.e., cemetery/crematory). Such as stating the cemetery requires the use of an outer burial container or the crematory requires a cremation container, when this is known by the provider.

5. Cemeteries should be incorporated into the definition of "funeral provider". In doing so, being required to provide an itemized price list for services and merchandise offered, with all disclaimers and requirements, as is required for funeral homes. Prices of services and merchandise related to the disposition of human remains varies greatly from one client to the next. Contracts often do not reflect an accurately picture of what

the consumer has purchased. This lends itself to the consumer having been told one thing only to be provided something quite different. Itemized price lists and a statement of goods and services (contract) regulated by "The Rule" would minimize deception and misrepresentation to the consumer.

6. Many states allow non-licensed funeral service employees (cemetery representatives/counselors, insurance agents, etc.) to sell or provide information about funeral services and merchandise. These individuals often have little or no background (formal or otherwise) in funeral requirements, especially legal requirements. They often misrepresent requirements solely out of ignorance and financial incentives. Incorporating any individual or business that sells funeral services or merchandise for the disposition of human remains into the definition of "funeral provider" would place these agencies under the same regulatory atmosphere currently guiding those presently defined as funeral provider. It would level the "playing" field for all parties involved, consumer and current funeral providers.

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