

Funeral Planning



County of Bucks

*Department of
Consumer Protection/
Weights and Measures*

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**The material in this brochure
is for informational purposes only.
It is meant to give you general information
and NOT specific legal advice.**

Death is not something anyone likes to think about – let alone plan for. But when a loved one dies, grieving family members and friends often are confronted with dozens of decisions about the funeral — all of which must be made quickly – adding additional burdens to an already stressful and overwhelming process.

- *What funeral provider should you use?*
- *What are you legally required to buy?*
- *What other arrangements should you plan?*
- *How much is it all going to cost?*

Each year, people struggle with these, and many other questions, as they spend billions of dollars arranging funerals for family members and friends.... So while Funeral Planning may not top your list of favorite things to talk about, doing so will be very beneficially to you -and even more so to loved ones you leave behind.

The FTC Funeral Rule

The Funeral Rule is enforced by the Federal Trade Commission, which gives you the right to the following:

- **Buy only the funeral arrangements you want.** You have the right to buy separate goods, such as caskets and services, such as embalming. You do not have to accept a package that may include items you do not want.
- **Get price information over the phone.** Funeral directors must give you price information if you ask for it.
- **Get a written, itemized price list when you visit a funeral home.** The funeral home must give you a General Price List (GPL) listing all the items and services the home offers, and the cost of each one.
- **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. This statement must also describe any legal cemetery or crematory requirement that requires you to buy any funeral goods or services.
- **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. Some states require embalming or refrigeration if the body is not buried or cremated within a certain time; some states don't require it at all. 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 private family viewing without embalming. If some form of preservation is a practical necessity, ask the funeral home if refrigeration is available

Types of Funerals

Full-service Funeral

This type of funeral, often referred to by funeral providers as a “traditional” funeral, usually includes a viewing or visitation and formal funeral service, use of a hearse to transport the body to the funeral site and cemetery, and burial, entombment, or cremation of the remains. It is generally the most expensive type of funeral. In addition to the funeral home’s basic services fee, costs often include embalming and dressing the body; rental of the funeral home for the viewing or service; and use of vehicles to transport the family if they don’t use their own. The costs of a casket, cemetery plot or crypt, and other funeral goods and services are additional.

Immediate Burial

The body is buried shortly after death, usually in a simple vessel. No viewing or visitation is involved, so no embalming is necessary. A memorial service may be held at the graveside or later. Direct burial usually costs less than the “traditional” full-service funeral. Costs include the funeral home’s basic services fee, as well as transportation and care of the body, the purchase of a casket or burial container and a cemetery plot or crypt. If the family chooses to be at the cemetery for the burial, the funeral home often charges an additional fee for a graveside service.

Direct Cremation

The body is cremated shortly after death, without embalming. The cremated remains are placed in an urn or other container. No viewing or visitation is involved. The remains can be kept in the home, buried, placed in a crypt or niche in a cemetery, or buried or scattered in a favorite spot. Direct cremation usually costs less than the “traditional” full-service funeral. Costs include the funeral home’s basic services fee, as well as transportation and care of the body. A crematory fee may be included or added to the funeral home’s fee. There also will be a charge for an urn or other container. The cost of a cemetery plot or crypt is added only if the remains are buried or entombed.

Funeral Costs

Basic Services Fee

The Funeral Rule allows funeral providers to charge all customers a basic services fee. The basic services fee includes services that are common to all funerals, regardless of the specific arrangement. These include funeral planning, securing the necessary permits and copies of death certificates, preparing the notices, sheltering the remains, and coordinating the arrangements with the cemetery, crematory or other third parties. The fee does not include charges for optional goods or services

Other Goods and Services

Optional goods and services may include transporting the remains; embalming; use of the funeral home for the viewing, ceremony or memorial service; use of equipment and staff; use of a hearse or limousine; a casket; and cremation or interment.

- **Embalming**

Many funeral homes require embalming if you're planning a viewing or visitation. But embalming generally is not necessary or legally required if the body is buried or cremated shortly after death. Eliminating this service can save you hundreds of dollars.

- **Caskets**

For a "traditional" full-service funeral- A casket is often the single most expensive item in a "traditional" full-service funeral. Caskets vary widely in style and price and are sold primarily for their visual appeal. Typically, they're constructed of metal, wood, fiberboard, fiberglass or plastic. Although an average casket costs slightly more than \$2,000, some mahogany, bronze or copper caskets may sell for over \$10,000. Traditionally, caskets were sold only by funeral homes. But more and more, showrooms and websites operated by "third-party" dealers are selling caskets. You can buy a casket from one of these dealers and have it shipped directly to the funeral home. The Funeral Rule requires funeral

homes to agree to use a casket you bought elsewhere, and doesn't allow them to charge you a fee for using it.

★ **SCAM ALERT:** Look out for the sale of 'sealed caskets'. The Funeral Rule forbids claims that these features help preserve the remains indefinitely because they don't. They just cost more!

For cremation- Many families that choose cremation rent, rather than buy, a casket from the funeral home for the visitation and funeral. If you opt for visitation and cremation, ask about the rental option.

• **Burial Vaults or Grave Liners**

Burial vaults or grave liners, also known as outer burial containers, are commonly used to prevent the ground from caving in as a casket deteriorates over time. A grave liner is made of reinforced concrete and covers only the top and sides of the casket. A burial vault is more substantial and expensive than a grave liner. It surrounds the casket in concrete or another material and may be sold with a warranty of protective strength

State laws do not require a vault or liner, and funeral providers may not tell you otherwise. However, keep in mind that many cemeteries require some type of outer burial container to prevent the grave from sinking in the future. Neither grave liners nor burial vaults are designed to prevent the eventual decomposition of human remains. It is illegal for funeral providers to claim that a vault will keep water, dirt, or other debris from penetrating into the casket if that's not true.

Cash Advances

Cash advances are fees charged by the funeral home for goods and services it buys from outside vendors on your behalf, including flowers, obituary notices, pallbearers, officiating clergy, and organists and soloists. Some funeral providers charge you their cost for the items they buy on your behalf. Others add a service fee to the cost. The Funeral Rule requires those who charge an extra fee to disclose that fact in writing, although it doesn't require them to specify the amount of their markup. The Rule also requires funeral providers to tell you if there are refunds, discounts, or rebates from the supplier on any cash advance item.

Frequently Asked Questions

Who can order a Death Certificate?

In Pennsylvania, anyone can obtain a copy of a death certificate if the death occurred at least 50 years ago. Otherwise, you can obtain a certified copy of a death certificate if you are:

- An immediate family member of the deceased person
- An extended family member who can show a direct relationship with the deceased person
- A legal representative of the deceased person's estate
- The deceased person's agent under a power of attorney, or
- Any other person who can show a direct interest in the record and prove that the record is necessary to determine a personal or property right.

Is embalming required?

Embalming is a process in which blood is drained from the body and replaced with fluids that delay disintegration. Though it is still common, embalming is rarely necessary; refrigeration serves the same purpose.

Pennsylvania rules require a body to be embalmed, placed in a sealed casket, or refrigerated if final disposition does not occur within 24 hours.

In addition, if the death was due to a noncontagious disease and will be shipped by common carrier (such as an airplane) to a place that cannot be reached within 24 hours after death, the body must be embalmed or placed in a specially sealed container.

Is a casket necessary for burial or cremation?

Burial- No law requires a casket for burial. However, you should check with the cemetery; it may have rules requiring a certain type of container.

Cremation- No law requires a casket for cremation. On the contrary, federal law requires a funeral home or crematory to inform you that you may use an alternative container, and to make such containers available to you. An alternative container may be made of unfinished wood, pressed wood, fiberboard, or cardboard.

Do I have to buy a casket from the funeral home?

No. Federal law requires funeral homes to accept caskets that consumers have purchased from another source, such as an online retailer. You may also build the casket, if you prefer.

Where can bodies be buried in Pennsylvania?

Most bodies are buried in established cemeteries, but burial on private property may be possible in Pennsylvania. Before conducting a home burial or establishing a family cemetery, check with the county or town clerk for any local zoning laws you must follow. If you bury a body on private land, you should draw a map of the property showing the burial ground and file it with the property deed so the location will be clear to others in the future.

Where can we store or scatter ashes after cremation?

In Pennsylvania, there are no state laws controlling where you may keep or scatter ashes. Ashes may be stored in a crypt, niche, grave, or container at home. If you wish to scatter ashes, you have many options. Cremation renders ashes harmless, so there is no public health risk involved in scattering ashes. Use common sense and refrain from scattering ashes in places where they would be obvious to others.

- Scattering ashes in an established scattering garden. Many cemeteries provide gardens for scattering ashes. If you're interested, ask the cemetery for more information.
- Scattering ashes on private land. You are allowed to scatter ashes on your own private property. If you want to scatter ashes on someone else's land, it's wise to get permission from the landowner.

- Scattering ashes on public land. You may wish to check both city and county regulations and zoning rules before scattering ashes on local public land, such as in a city park. However, many people simply proceed as they wish, letting their best judgment be their guide.
- Scattering ashes on federal land. Officially, you should request permission before scattering ashes on federal land. However, you will probably encounter no resistance if you conduct the scattering ceremony quietly and keep the ashes well away from trails, roads, facilities, and waterways. You can find guidelines for scattering ashes on the websites for some national parks. For more information, start with the website of the National Park Service.
<https://www.nps.gov/index.htm>
- Scattering ashes at sea. The federal Clean Water Act requires that cremated remains be scattered at least three nautical miles from land. If the container will not easily decompose, you must dispose of it separately. The EPA does not permit scattering at beaches or in wading pools by the sea. Finally, you must notify the EPA within 30 days of scattering ashes at sea.
- The Clean Water Act also governs scattering in inland waters such as rivers or lakes. For inland water burial, you may be legally required to obtain a permit from the state agency that manages the waterway.

For more information, including contact information for the EPA representative for Pennsylvania, see Burial of Human Remains at Sea on the EPA website.

<https://archive.epa.gov/region4/water/oceans/web/html/>

Scattering ashes by air. There are no state laws on the matter, but federal law prohibits dropping objects that might cause harm to people or property. The U.S. government does not consider cremains to be hazardous material; all should be well so long as you remove the ashes from their container before scattering.

Funeral Prepayment

You have two options for covering your funeral expenses:

1. Pay in advance, or
2. Set aside an account with enough funds

Pay in advance

Millions of Americans have entered into contracts to arrange their funerals and prepay some or all of the expenses involved. If you choose to prepay, make sure you are dealing with a reputable funeral director or establishment – because if they go out of business, your careful planning and payments may be lost.

Set aside funds

The simplest and most prudent way to take care of the costs for your final arrangements is to set aside funds in an interest earning, easily accessible bank or savings account. You can then designate a beneficiary to claim the funds for your funeral immediately after your death. If you do chose this route of prepayment, make sure you write down your desired funeral plans and preferences.

Note: *Make sure you fully trust your beneficiary to whom you leave your funeral funds, as they will be **under no legal obligation** to use them for your funeral arrangements*

Funeral Planning Checklist

General Preparation

- Notify authorities of the death if it has occurred outside a hospital, hospice, or nursing home
- Assemble personal information for death certificate and obituary (*Use the Funeral Planning Form which can be found on the next page*)
- Notify family and friends
- Determine/find and read the Will
- Request multiple copies of the death certificate
- Choose a charity for donations in lieu of flowers
- Gather photos and memorabilia for display
- Gather cemetery information such as deed to the plot and receipt of purchase

People Preparation

- Select Pallbearers (usually 4-6)
- Select Clergy (if desired)
- Select Speakers for the Eulogy (family, friends, or clergy are common speakers)
- Determine who is the primary organizer
- Determine who will take charge of the finances and bills for services rendered

Funeral Preparation

- Determine the Funeral Home

Note: It is important to find a funeral home and director that you trust. If you want assistance in selecting a funeral home or director, the Pennsylvania State Board of Funeral Directors is the state's governmental agency that regulates the licensure and practice of funeral directors and embalmers & assist consumers with complaints or other issues relating to their experience with a funeral home or funeral director. The website is: <http://www.dos.pa.gov>
- Burial Type: Choose Traditional burial or cremation

Note: A scam to watch out for is sealed caskets and vaults. These are not necessary.
- Decide what clothing & jewelry the deceased will wear
- Pick out floral arrangements
 - Casket Spray
 - Standing Spray
 - Lid Arrangement

Funeral Planning Form

Can be used for preparation of the obituary and official documents

Deceased Personal Information

Full Name _____

Social Security Number _____

Date of Birth _____

Age _____

Marital Status _____

Date of Death _____

Parents' Name _____

Place of Work _____

Insurance Company _____

Policy Number _____

Military Service _____

Organizational Affiliations:

1.) _____ 4.) _____

2.) _____ 5.) _____

3.) _____ 6.) _____

Notes:

Contact Information

Pennsylvania Funeral Directors Association

7441 Allentown Blvd
Harrisburg, PA 17112
717-545-7215
<http://www.pfda.org>

Cremation Association of North America

Association of crematories

499 Northgate Parkway
Wheeling, IL 60090-2646
1-312-245-1077
www.cremationassociation.org

Federal Trade Commission

Federal agency that enforces the funeral rule and works to prevent business practices that are anticompetitive, deceptive, or unfair to consumers.

600 Pennsylvania Avenue, NW
Washington, DC 20580
Toll-Free: 1-877-FTC-HELP
www.ftc.gov

Funeral Consumers Alliance

Nonprofit organization dedicated to protecting a consumer's right to choose a meaningful, dignified, affordable funeral.

33 Patchen Road
South Burlington, VT 05403
1-802-865-8300
www.funerals.org

National Funeral Directors Association

Educational and professional association of funeral directors; provides consumer information and advice by telephone.

13625 Bishop's Drive
Brookfield, WI 53005
Toll-Free: 1-800-228-6332
www.nfda.org

Selected Independent Funeral Homes

Association of independent locally-owned funeral homes.

500 Lake Cook Road, Suite 205
Deerfield, IL 60015
Toll-Free: 1-800-323-4219
www.selectedfuneralhomes.org

Bucks County Military Affairs

Bucks County Government Services Center, *Branch Office*
7321 New Falls Rd.
Levittown, PA 19055
267-580-3560 - Veteran's Assistant
<http://www.buckscounty.org/government/CommunityServices/MilitaryAffairs>

U.S. Department of Veterans Affairs National Cemetery Administration

Provides burial services in veteran's cemeteries for veterans and family members. Maintains cemeteries nationwide.

810 Vermont Avenue, NW
Washington DC 20420
Toll-Free: 1-800-827-1000
www.cem.va.gov

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