

# Memorial Business Journal

The weekly resource for progressive funeral directors, cemeterians and cremationists

December 2009 • Pre-launch Issue No. 3  
This Issue:

Prospect Hill Unveils Court of Valor .....	P. 1
Illinois FDA President Resigns; Merrill Lynch Looks to Exit as Trustee of Beleaguered Preeed Fund .....	P. 4
NCI Study Links Embalming, Formaldehyde with Leukemia .....	P. 6
PIMS Educators Offer Opinions on NCI Study .....	P. 8
BEING Green .....	P. 10
FTC Issues Advisory Statement on Basic Service Fee .....	P. 11
Supreme Court Refuses to Review Md. Funeral Home Law .....	P. 12
FTC Orders SCI to Divest Funeral Home, Cemetery to Complete Acquisition of Palm Mortuary .....	P. 13
Action Items: Gearing Up Financially for 2010 .....	P. 14
Providing Consumers With Payment Options .....	P. 16
The Notebook .....	P. 23
From the Editor's Desk .....	P. 25



Photo courtesy of Prospect Hill Cemetery

## Prospect Hill Unveils Court of Valor Monument Honors Local Heroes Cited for Their Service From the Civil War to Iraq and Afghanistan

YORK, PA. – Continuing its tradition of honoring the sacrifices of those who serve this country, Prospect Hill Cemetery, York, Pa., last month, unveiled a dramatic memorial that not only recognizes the heroism of York County residents who have earned medals for valor, but the monument's striking symbolism literally connects the sacrifices of veterans from past wars to the current conflicts in Iraq and Afghanistan.

On Nov. 14, nearly 800 people gathered in the veterans' section of the cemetery to witness the unveiling of the 13-foot tall, 11-foot wide, black granite Court of Valor monument. For the initial dedication, the inscription bears 162 names of York County veterans from every U.S. conflict from the Civil War to the wars in Iraq and Afghanistan. All of the honorees were recipients of medals for valor in the service of the country from their branches of the armed forces. Some of the medals that qualify the recipient for inclusion on the monument are the Medal of Honor, Purple Heart, Bronze Star and Distinguished Flying Cross. Prisoners of war and those killed in action are automatically included.

The monument is topped off in dramatic fashion with a 9-foot, 11-inch piece of steel that was once part of the World Trade Center towers.

"An enormous amount of time and work went into this," said Jack Sommer, managing partner of Prospect Hill Cemetery. It

was the realization of a vision Sommer held onto for several years. "The veterans served us, and they served us exceptionally well," he said.

### Final Days to Save \$50 on Special Pre-launch Discount

This is the last of three "pre-launch issues" of the **Memorial Business Journal**. These issues will be available free of charge by e-mail upon request, as well as a free download from our web site, [www.memorialbusinessjournal.com](http://www.memorialbusinessjournal.com).

Those wishing to subscribe have until Dec. 31, 2009, to take advantage of a special **Pre-launch Introductory subscription price of \$149 for one year (52 issues)**, which is \$50 off the regular price of \$199. Memorial Business Journal guarantees that your subscription will provide you with money-saving, business-building tips to improve your company's performance.

This offer will expire on Dec. 31, 2009. An order form is available with this issue and on the web site, just fill it out and mail your check to Memorial Business Journal, P.O. Box 8066, Trenton, N.J. 08650. Credit card orders are also accepted on the web site or by phone at 609-815-8145.



Flag-carrying members of the Patriot Guard framed the gathering on each side. After the gray tarp was removed unveiling the monument, U.S. Rep. Joe Sestak, who represents the state's 7th District, was on hand to deliver a keynote address. Prior to being elected to Congress, Sestak was a three-star admiral in the Navy and commander of the USS George Washington battle group.

"Those who have served come to understand a common creed shared with everyone in the military," he said. "Service members will do anything, not for a ribbon, not for a medal, but for that creed. That speaks volumes about how we raise our youth here in America."

As the names of those on the arch were read, the speaker paused, offering special distinction to those killed in action. The monument will ultimately contain about 600 names. The cemetery plans to periodically update the monument with new honorees.

Sommer noted that Prospect Hill is only the second cemetery in the United States (the other being Texas State Cemetery), and the third site in Pennsylvania that has a piece of steel from the Twin Towers. The others are Shanksville, where Flight 93 crashed on Sept. 11, 2001, and the garden of Reflection in Yardley, Bucks County. Yardley, a commuter suburb, created the park in memory of 18 residents lost on Sept. 11. "We feel honored on behalf of the community to have this available," Sommer said.

He noted that the beam itself was a lintel, which is a support beam that is normally over a door or window opening or



Above: U.S. Rep. Joe Sestak delivers the keynote speech during the Nov. 14 dedication of the Court of Valor at Prospect Hill Cemetery in Manchester Township. Jack Sommer, managing partner of Prospect Hill Cemetery, stands to the left of the arch, which is 13 feet tall, 11 feet wide. A piece of steel that was once part of the World Trade Center is mounted above its lintel. Lining the walkway is the Central York M.S. Colonial Fife & Drum Ensemble. Top left: The Kiltie Band of York performs "Amazing Grace" as the Marine Corps League Color Guard of York prepares to retire the colors to conclude the ceremony.

*Photos courtesy of Prospect Hill Cemetery.*

an archway. “It is appropriate because it will again perform this function as part of this granite arch,” Sommer said.

The entire project was completely financed by Prospect Hill. Sommer and some cemetery personnel traveled to New York to collect the steel, which was stored in Hangar 17 at Kennedy International Airport. The workers strapped a chunk of steel, concrete and mangled steel bars to a trailer. Respecting the 3,000-pound icon, an American flag was spread under the steel for the two-and-a-half hour journey back to York.

When the steel arrived in York there was a ceremony marking the occasion. The date it arrived — Sept. 11, 2009.

“We called this an acceptance ceremony,” Sommer said. “We see this as a gift from the people of New York, which called for something beyond normal procedure.”

Dozens of residents joined area police, firefighters and veterans in the rain to witness the ceremony. Many photographed the steel beam, still strapped on the trailer. Others moved in to touch what is literally a piece of history.

“You could see in their faces and their eyes what it meant to them,” Sommer said. “It is meaningful to people, and they need that sense of contact and that sense of what that symbol means.”

It took workers about two-and-a-half hours to secure the steel beam to the Court of Valor memorial. Only a small amount of concrete was cut from the two ends of the I-beam simply to allow it to fit properly. “We rented a crane and we set the entire monument in one operation,” Sommer said. “As a credit to my grounds crew, everything went very well. The actual placement of the beam took something less than 30 minutes.”

The 170-acre Prospect Hill Cemetery already offered a part of American history. The cemetery is the final resting place of soldiers from every United States conflict — all the way from Philip Livingston, a signer of the Declaration of Independence, to the Soldiers Circle, a final resting place for soldiers who died of their wounds after the Battle of Gettysburg, to today’s tribute to fallen heroes from the Iraq and Afghanistan wars.

In August of 2005, Prospect Hill Cemetery erected the Iraq/Afghanistan War Flag Memorial. Currently there are almost 5,000 flags on display — one flag for each soldier lost during the Iraq & Afghanistan Wars. A nearby section offers one Pennsylvania state flag for each soldier from the state who died during the conflicts.

MBJ

Right from top: Photographer captures an emotional scene as the son of one of the honorees finds his father’s name on the Court of Valor monument and points it out to him. Both react to the moment.

*Photos courtesy of Prospect Hill Cemetery*



## Illinois FDA President Resigns; Merrill Lynch Looks To Exit as Trustee of Beleaguered Preneed Fund

**SPRINGFIELD, ILL.** – The Illinois Funeral Directors Association has been hit by key defections in its leadership and administration. First, Merrill Lynch Bank & Trust Co. sent a letter informing the association of its intention to step aside as interim trustee for the association's beleaguered preneed trust fund. Then, Chris Wooldridge submitted his resignation as association president.

Despite the timing between the two resignations, Duane Marsh, Illinois FDA executive director, said there is no connection between the trust situation and Wooldridge's resignation. "Chris made a personal decision and it is our job to go on and that is what we will do. We're going to honor it," Marsh said. When reached for comment, Wooldridge confirmed that his resignation was for personal reasons.

Finding a replacement for Wooldridge was simply a matter of procedure. President-elect Linda Allan, whose own term was scheduled to begin in July 2010, will fill out Wooldridge's unexpired term and continue as president until June 2011.

Finding a new trustee for the preneed fund will not be as simple. "As of Jan. 18, 2010, Merrill Lynch will be accepting no new money into the common fund but will continue to allow installments in the sequestered fund," said Marsh, noting that the association was notified of Merrill Lynch's decision in writing on Nov. 18. "No new money has been going into the sequestered fund for several months. But they will allow installments because it was part of an installment contract."

### Illinois Funeral Trust Fund Time Line

**1980:** The Illinois comptroller's office, under Roland Burriss' watch, issues a license to Illinois Funeral Directors Association Services to administer a preneed funeral trust fund.

**1986:** IFDA Services begins buying life insurance policies on funeral directors and IFDA officials to pay for funerals of people who bought preneed contracts. Eventually, about 300 contracts are purchased from seven companies, with the trust fund listed as beneficiary.

**1999:** IFDA Services stops buying life insurance policies.

**2000:** The IFDA trust fund has a surplus of more than \$18 million.

**2001:** The IFDA trust fund begins losing money.

**Early 2006:** The state comptroller's office begins an investigation, auditing the fund, then hiring a CPA firm to do an audit.

**June 2006:** The comptroller's office notifies the IFDA that the fund has a \$39 million deficit and that IFDA Services received \$8.6 million in excessive fees from the fund between 2000 and 2005. Calling the situation "intolerable," the comptroller's office tells the IFDA that the state Department of Financial and Professional Regulation, not the comptroller, might be the appropriate regulatory body.

**September 2007:** The comptroller's office revokes the IFDA's license to oversee the trust fund.

**Spring 2008:** Regions Morgan Keenan Trust, a

Tennessee investment firm, backs out of a plan to take over as trustee, saying the insurance policies must be liquidated at a loss.

**May 30, 2008:** The Department of Financial and Professional Regulation issues a cease-and-desist order to IFDA Services, saying it has no legal authority to run a trust business. Merrill Lynch Bank and Trust Co. steps in as trustee.

**July 7, 2008:** The Department of Financial and Professional Regulation issues a second cease-and-desist order prohibiting the fund from distributing any money except to pay for funerals.

**October 2008:** The IFDA tells funeral home directors that the fund's value has decreased by \$59 million, or 25 percent.

**Nov. 3, 2008:** The Department of Financial and Professional Regulation issues a third cease-and-desist order to IFDA Services, saying IFDA is still acting as trustee of some preneed trusts without legal authority.

**Late November 2008:** Two women in Kane County sue the IFDA and IFDA Services alleging violations of state consumer protection laws and asking that the lawsuit be granted class-action status.

**Jan. 28, 2009:** Six funeral home directors sue the IFDA, association board members, former staff members, accountants, Merrill Lynch and a Merrill Lynch financial advisor, alleging mismanagement of the IFDA preneed funeral trust fund.

*Source: State-Journal Register, Springfield, Ill. Used by permission*

Although Merrill Lynch may resign with 60-day notice, Marsh said the resignation would not become final until a successor trustee has been named. "A successor has to be appointed before they can give up totally their trustee duties," he said. "Simply because they have resigned it does not mean they have to give up their trust duties," Marsh said.

"That would be consistent with the terms of the order that installed Merrill Lynch as the trustee," said Michael T. McRaith, director of the state's Division of Insurance. Merrill Lynch Bank and Trust was appointed by the state to serve as the interim trustee in May 2008 when the Illinois Department of Financial and Professional Regulation said IFDA had no legal authority to run a trust.

"We continue to speak with potential successor trustees," Marsh said. "We have had several conversations and we continue to have conversations with a couple of interested parties and we're going to continue to pursue those with the hope of being able to get through with the complexities and have an alternative."

Marsh used the phrase "guardedly optimistic" when assessing the association's chances of having a new trustee in place by Jan. 18, 2010. "I keep thinking that every time we speak that we move the ball forward but it is very complex to get the details done. We're working on it every day and it is our desire to do that and I am guardedly optimistic that something will happen here."

A spokesman for Merrill Lynch said that the company has always maintained the position that it was serving as interim trustee of the trusts and accepted the role on that basis. "Merrill Lynch Trust Company has determined that its work as interim trustee is complete and the time is now appropriate for a successor trustee or trustees to take over," said Bill Halldin.

## A Flurry of Suits

In late May 2009 the Illinois Department of Insurance (DOI) reached an \$18 million resolution with Merrill Lynch Life Agency for its role in preneed funeral arrangements managed by the Illinois FDA. The purpose of the DOI's Stipulation and Consent Order, was to aid members of IFDA if those funeral directors agree to provide their client-families with the contracted funeral.

"More than 47,000 Illinois families prepaid for funerals," said McRaith. "Our objective was to return peace and confidence to these families, who can now be assured of the comfort for which they paid."

The \$18 million fund resulted from a DOI investigation begun after a referral by the Illinois Office of the Comptroller in 2006.

By the terms of the order, Merrill Lynch Life Agency is required to pay \$18 million plus costs into a special fund that will be held in escrow and subject to strict distribution guidelines controlled by McRaith and Comptroller Dan Hynes. Specifically, the order provides that an IFDA funeral director who agrees to deliver what the client-family bargained for with the preneed contract will receive a proportionate share of the \$18 million fund in order to substantially offset potential IFDA losses. To the extent that a funeral director opts not to agree to provide the benefits negotiated by a client-family, a share of the escrowed funds will be paid directly to client-families with non-guaranteed contracts. When the \$18 million resolution was reached, DOI also revoked the Illinois insurance producer's license of Edward Schainker, a financial advisor for Merrill Lynch Life Agency. He allegedly developed, marketed and sold an insurance scheme to the IFDA. Schainker was fined \$100,000.

Shortly after the resolution was announced, the same group of six funeral homes that filed suit in January 2009 against IFDA, association members, former staff members, Merrill Lynch and a Merrill Lynch financial adviser, filed suit against Merrill Lynch in federal court in Chicago challenging the \$18 million settlement. The plaintiffs call the settlement a bad deal for consumers. The funeral directors also objected to a provision that requires them to release Merrill Lynch from liability in order to collect their shares of the settlement.

At virtually the same time, attorneys for consumers in southern Illinois filed a class-action lawsuit against the Illinois Funeral Directors Association, IFDA officials and Merrill Lynch, claiming that the preneed funeral trust fund was mismanaged to the point of violating consumer protection laws.

A total of five suits have filed in connection with the preneed funeral fund scandal.

## National Cancer Institute Study Links Embalming, Formaldehyde Exposure With Leukemia

BETHESDA, MD. – Funeral directors who have spent the better part of their careers in the embalming room with related formaldehyde exposure were found to have an increased risk of death from myeloid leukemia, according to a new study published in the Journal of the National Cancer Institute.

The study examined work practices and formaldehyde exposure levels to address the cancer risk in the funeral industry. It concluded that deaths from myeloid leukemia increased significantly based on the numbers of years of embalming and on the number of cases. Compared with subjects who embalmed fewer than 500 bodies, death from myeloid leukemia (the most common form of the disease affecting adults) was elevated among those who embalmed bodies consistently for more than 34 years or who embalmed more than 3,068 bodies.

Funeral service professionals who died between 1960 and 1986 from leukemia or brain tumors were compared with a control group of subjects randomly selected from inside the funeral industry, whose deaths were attributed to other causes, excluding cancers.

“We know formaldehyde is a toxic and an irritant, which in itself is a form of safety alert,” said Robert G. Mayer, who literally wrote the book on embalming. “We know these chemicals should be used in minimum amounts, the work environment should be properly ventilated with a good flow of incoming fresh air as well as a working exhaust system. Bottles need to be capped, machines need to be covered, spills need to be properly cleaned, etc.”

Mayer, who authored “Embalming: History, Theory and Practice,” noted that the OSHA general rule was not instituted until 1970 and the formaldehyde rule did not come about until 1989. “It is difficult to determine how much embalming each of subjects in the study did in their lifetime and under what conditions, suggesting conditions in the embalming room are far different and safer today than to what the subjects in the study might have been exposed,” Mayer said.

Gene Ogrodnik, president & CEO of the Pittsburgh Institute of Mortuary Science, held a similar observation. “From my personal experience which began 35 years ago, I can personally attest to the fact that personal protective equipment was no more than an apron and one pair of latex gloves,” he said “Some embalmers back in the 1960s never even used gloves during the embalming process. No one used any mask or respirator protection.” (For a more detailed analysis of the study by Ogrodnik and other PIMS faculty, see page 8)

The survey also reported:

- No associations were observed between exposure to formaldehyde with other brain tumors or nasopharyngeal cancer, which forms in tissues of the nasopharynx — upper part of the throat behind the nose.
- Further studies are warranted to investigate the risk of leukemia in relation to specific embalming practices and exposures and to investigate this risk in groups of other professionals who are exposed to formaldehyde (such as anatomists and pathologists).
- The study has several limitations specifically in surrogate responses (next of kin or co-workers) and the relatively small number of deaths from myeloid leukemia in its survey sample.

While the results of the survey are alarming, funeral service has improved safety measures dramatically over the years, and continues to do so.

“We are well aware the European Union is examining formaldehyde and will review the documents I believe in 2014,” Mayer said. “Within the industry we are starting to see formaldehyde-free embalming chemicals. However most of these newer products have a very reduced time of preservation as compared with formaldehyde fluids. We all know all embalming formaldehyde or formaldehyde-free is temporary.

“I frankly do not know the expectation of the general public with regard to length of preservation,” he added. “Our industry still seems to be looking for preservative and sanitizing chemicals that can perform as well as we have come to expect from formaldehyde and at the same time have a clean material safety data sheet.”

Some groups have raised the question, how long preservation should last? Mayer estimated the threshold should be at least 30 days minimum. That would give time for a body to be transported via common carrier to or from a distant coun-

try, or enough time for relatives and friends to gather from a distance or return from an extended vacation.

“At the same time we have those problems where there is to be a delayed viewing — we have families who want no preparation, but viewing for natural burial and those who want a viewing and will allow a minimum preparation but not full embalming for green burial,” Mayer said. “We are seeing more requests for a minimum preparation — set features, grooming, perhaps cavity injection — followed by a few hours of viewing, which is followed by burial or cremation.”

Mayer said that as funeral service enters the second decade of the 21st century, the profession is in a state of reform. “Firms need to be prepared to offer families a variety of choices or to fulfill a variety of requests coming from families,” he said. “The work environment needs to be safe for employees and the materials and techniques they use need to be used and performed in a manner which minimizes the employees exposure to any harmful chemicals.”

MBJ

## Formaldehyde Best Management Practices

*Earlier this year, the National Funeral Directors Association updated its Formaldehyde Best Management Practices. The following list is a sampling from that working document.*

### **Ensure adequate and effective ventilation in the preparation room.**

- Have no fewer than 10 to 15 air changes per hour supplied to the preparation room for each active embalming table.
- Provide a source of fresh, clean air that prevents excessive negative pressure and improves air quality in the prep room.
- Establish a standard operating procedure for ventilation system activation whenever an individual is in the prep room.
- Vent waste air from the preparation room HVAC system to the outdoors.
- Monitor the effectiveness of the preparation room HVAC system no less than annually.
- Do not use ozone generators.

### **Select and use the proper embalming product considering the condition of the remains.**

- Make a practice of using the least concentrated solution and reserving the most highly concentrated solution for the most difficult cases.
- Substitute environmentally friendly products for traditional embalming products.
- When mixing embalming solutions, always add arterial fluids to water.

### **Take precautions in the prep room to limit formaldehyde exposure and emissions during routine embalmings.**

- Institute work practices to avoid formaldehyde spills, and if spills occur, clean spills of formaldehyde immediately.
- Always keep the lid on the embalming machine.

The embalming machine lid should be removed only when water and embalming fluids are added to the machine. The lid is designed to reduce emissions from the embalming solution in the machine.

- If embalming wastewater is discharged into a sink, always use a sink cover to limit splashing and exposure.
- Use all appropriate personal protective equipment to avoid skin and eye contact with formaldehyde-containing products (and any chemical products of any type).
- Limit exposure to formaldehyde and bloodborne pathogens through the use of a drain tube.
- Follow the funeral home’s written 30-day cleaning, decontamination and inspection schedule to ensure proper functioning of eyewash stations and emergency drench showers.

### **Observe special precautions to limit formaldehyde exposure and emissions when embalming organ procurement cases and autopsied remains, as such embalmings may increase the embalmer's formaldehyde exposure risk.**

- Employ a local exhaust ventilation (LEV) system for added capture of formaldehyde emissions.
- Employees may elect to use a properly fitted respirator even when exposure limits do not exceed OSHA standards.
- 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.

### **Be familiar with and follow all federal, state and local environmental, OSHA and health requirements that apply when embalming is performed.**

*Source: National Funeral Directors Association*

*<http://nfda.org/additional-tools-embalming/1749-formaldehyde-best-management-practices.html>*

## Commentary: PIMS Educators Offer Opinions on NCI Study

*Editor's Note: On Dec. 4, 2009, Gene Ogrodnik, president & CEO of the Pittsburgh Institute of Mortuary Science; Joe Marsaglia, PIMS Dean of Faculty and Students; and Barry Lease, PIMS faculty member and embalming instructor met and discussed the study, "Mortality From Lymphohematopoietic Malignancies and Brain Cancer Among Embalmers Exposed to Formaldehyde," published by the Journal of the National Cancer Institute. The combined funeral industry experience of the three totals about 85 years. Both Marsaglia and Lease are currently doctoral students. Their comments appear below. Passages from the actual NCI study are in italics.*

### Methodology

The study included professionals employed in the funeral industry who died between Jan. 1, 1960, and Jan. 1, 1986, from lymphohematopoietic malignancies (168 case subjects) or brain tumors (48). These were compared with deceased control subjects (265).

- The dates of death (with exception of 1984-86) were during a period where there was no OSHA standards adopted and employed by the industry.
- The number of subjects were a very small number compared to the number of deaths of funeral directors/embalmers who died during the same period.
- Data was obtained by interviews with next of kin or coworkers and with estimated levels of HCHO exposure. Our question is how would they possibly estimate the levels of HCHO exposure by talking with next of kin or co-workers?

The study itself indicated, "the evidence on occupational exposure to formaldehyde and leukemia was considered strong, but it was not sufficient to establish causality." Limitations indicated in the study mentioned, "there were relatively few deaths from myeloid leukemia among case subjects. There was a considerable amount of missing data..."

The study gathered its data from an average of 1.5 next-of-kin (NOK) interviews and 1.1 coworker (CW) interviews per case subject. We are questioning whether or not anyone who is questioned about a death of a relative or co-worker, which took place two decades ago, has merit at all, simply due to how anyone's memory of such events would have any reliability or validity.

Exposure assessment was conducted using a mathematical model (which, in our opinion, appears to be flawed) that includes assumptions instead of conducting actual air quality monitoring during embalming procedures with current engineering controls and best practices currently employed by funeral homes.

- *Although the duration of working in jobs with embalming could be calculated for all subjects, information was frequently missing on at least one of several characteristics used in the calculation."*
- *Having ever embalmed was not associated with risk for all lymphohematopoietic malignancies, but it was associated with a borderline statistically significantly increased risk for lymphohematopoietic malignancies of non-lymphoid origin...."*
- *Risk was not associated with increasing number of embalmings during which peaks in the highest category of peak intensity occurred (i.e., exceeding 9.3 ppm; data not shown)...*

Risk was not associated with increasing number of embalmings?

### Brain Tumors

- *Embalming was not statistically significantly associated with risk for brain tumors, and there was little evidence of increasing risks with increasing number of years in jobs with embalming or with other metrics of exposure..."*
- *Finally, smoking was not related to embalming practice or formaldehyde exposure in our study.*
- *A major limitation of our study is the relatively small number of deaths from myeloid leukemia.*
- *This study has several limitations. Surrogate respondents (i.e., next of kin and coworkers) may or may not accurately report exposure-related information, depending on the type of information and type of surrogate.*
- *There were also considerable missing exposure data requiring imputation and, when subjects whose work history was more than 30 percent incomplete were excluded, the strength of the associations decreased. However, because the missing data did not differ substantially between case and control subjects, we believe this decrease can be attributed to smaller numbers of subjects and to chance.*

- *Our study assessed work in the funeral industry approximately through the early 1980s and so the work patterns and estimated exposure levels of deceased control subjects may not be entirely representative of current practice in the funeral industry.*

Might this study lead to different results with today's workplace environmental controls and practices — especially with the implementation of OSHA standards?

- *The absolute impact of exposure to formaldehyde on death from myeloid leukemia in the general population is difficult to assess on the basis of data in this study, which are not population based.*
- *This study adds to the accumulating evidence from studies of industrial workers that increased exposure to formaldehyde is associated with increased risk of myeloid leukemia.*

From the above how could there be any science-based conclusion with regard to this last bullet-point above? There is no empirical evidence. This study in our opinion does *not* add to the so-called accumulating evidence.

- *There are also issues with the “predicative model” (e.g. Using the predictive model, we calculated the estimated formaldehyde intensity during embalmings for each combination of characteristics (intact or autopsied corpse, spills, and ventilation) under which embalmings were performed during a given year).*

This model shows no evidence of being a reliable or valid measurement instrument. Has this instrument demonstrated consistency in results? Could it be used to generate similar results? I sincerely doubt it.

Moreover, does the “predictive model” actually measure what it is supposed to measure? Was it created to measure HCHO intensity exposure...isn't that what the OSHA standard does? Accordingly, this model the OSHA standard has the imprimatur of science behind the results. To that end, due to the lack of empirical data, questionable research methods, and unsubstantiated results, this entire study, especially this “predicative model,” leaves serious doubts in the mind of any prudent consumer of research.

- There is no mention of the questions asked to family members upon which were based evidence and conclusions. Oftentimes, the way a survey question is framed will lead to a reply of intended expectation.
- There was no study conducted of the conditions of the preparation rooms used by the deceased study participants (e.g., ventilation, size of room, use of any protective equipment, etc.).
- There was no discussion or study of the type of fluid (e.g., index or amount of formaldehyde).
- Is there missing data or does the constructive data have any reliability or validity?
- There is no mention of preexisting history in family (e.g., congenital pathologies, history of cancer).
- Did the participants have other jobs in addition to embalming or did they have other contributing factors?
- What chemicals were used? Were there other toxins in the embalming fluids used 50 years ago?
- Were there dietary substances or medications that could have influenced the outcome and were not observed or studied?
- Racial demographics not studied or reported.
- What was the overall health of the participants PRIOR to the study?

We find this study without much merit. There is no empirical data. Rather the study was based on anecdote described by family and co-workers — some 4 or 5 decades after the fact. Data was based on peoples' responses that were based on their memory of incidents that may have occurred between 1960 and 1986? We question the validity, consistency and reliability of the study. Our opinion is that this study is indeed fraught with flaws throughout:

*Gene Ogrodnik is president & CEO of the Pittsburgh Institute of Mortuary Science; Joe Marsaglia is PIMS Dean of Faculty and Students; and Barry Lease is PIMS faculty member.*

## BEING Green

— By Wilson H. Beebe Jr., NJSFDA Executive Director

*Reprinted with permission of the FORUM magazine, a publication of the New Jersey State Funeral Directors Association, Inc. All rights reserved.*

The race for “green” bona fides has begun. As to be expected, the devil is in the details. To start, who gets to say what and who constitutes “green”? Us? The Green Burial Council? Casket manufacturers? Chemical companies?

In a recent spat between the makers of “formaldehyde-free” AARDBalm Limited embalming products and the Green Burial Council (GBC), AARDBalm has been asking who put the GBC in charge of “green” certification. The immediate issue at hand is that the Green Burial Council will not certify AARDBalm’s product line without AARDBalm disclosing trade secrets, which they are not inclined to do without some protection of their interests. This too shall pass, presumably, through the use of some disinterested third party.

Then, since funerals involve people, buildings, cars, chemicals, land, incinerators, wood, steel, concrete and paper—what makes green? If I prep a body with a “formaldehyde-free” AARDBalm or Dodge product, place the remains in a natural wicker container made from sustainable sea grass, and transport it to a “green” cemetery in a gas-guzzling hearse, is that green?

It reminds me of the dinner companion who orders a rich dessert while insisting on Splenda for their coffee. Or the health nut who is a social smoker. Or the vegetarian who occasionally eats fish. Or . . . well, you get the point.

We, and all our endeavors, are human and therefore imperfect. Which is not to say, that because we cannot achieve perfection doesn’t mean we shouldn’t try to be “green,” or “greener” or to reach for “greenest.” So, you can limit the fertilizers you use on your property, which contribute to run-off, which pollutes rivers and streams. You can take the solar power route, and use energy-efficient bulbs. You can prepare remains with formaldehyde-free products, conditions permitting. Anyone for a stretch Toyota Prius?

What’s going to be important going forward is how you represent your operations and products. One would be hard-pressed to represent a mahogany casket as being “green” simply because it is wood, given the self-evident damage caused by indiscriminate rainforest harvesting. Pine? Poplar? Maple?

We will probably have to take some lessons in all this from other people. The organic food movement, for instance, has had (and continues to have) its share of disagreements over what makes organic, organic. Diversity of seed stock; absence of chemicals; sustainability; nutritional value; processing and transportation costs?

In the meantime, there is another side to this matter of being green, and that has to do with the personal health of funeral directors. The absence of any definitive data on the health and environmental effects of formaldehyde exposure notwithstanding, reasonable people will probably agree that we should reduce exposure and wastewater discharge where possible.

You can do this now, by changing your preparation and embalming practices and making the decision to use formaldehyde-free or lower index products where possible (which, in my opinion, results in a far better appearance, in any event). Paired with that, and recognizing that formaldehyde may remain an invaluable tool, and that all embalming substances may pose some measure of inhalation and exposure risk, funeral firms that have not done so already should beef up and improve their ventilation systems. Not only to help minimize embalmer exposure, but also to implement the generally recognized best-management practices for handling chemical compounds.

“Green” development and its marketing is an opportunity to make some positive contributions to our communities while improving consumer perceptions of our product’s value. We need to work together on getting it right.

*Wilson H. Beebe Jr. is executive director of the New Jersey State Funeral Directors Association Inc. Comments and suggestions are welcomed and encouraged at [wbeebe@njsfda.org](mailto:wbeebe@njsfda.org).*



Wilson Beebe

## FTC Issues Advisory Statement on Basic Service Fee

WASHINGTON, D.C. – The Federal Trade Commission has issued an advisory opinion that states the Funeral Rule “permits funeral providers to reduce their basic services fees for forwarding remains, receiving remains, direct cremations, and immediate burials, in order to reflect the proportionate reduction in facilities overhead and services of funeral director and staff required to provide them.”

Scott Gilligan, general counsel for the National Funeral Directors Association, noted the background for the advisory opinion. “On Feb. 17, 2009, FTC staff issued an advisory opinion on discount funeral packages that raised a number of questions regarding the basic services fee,” Gilligan said in a statement. “That advisory opinion held that while funeral homes may offer discounted packages, they should not discount the basic services fee when deciding the amount of the discount. In other words, a funeral home was permitted to reduce the price of all of the items included in the package, except for its basic services fee.

“While the Feb. 17, 2009, FTC advisory opinion would have a limited impact on how most funeral homes price their packages, it had the potential for greatly impacting how funeral homes price the four alternative services of forwarding remains, receiving remains, immediate burials, and direct cremations,” Gilligan said.

“At the time, some industry observers concluded that this FTC advisory opinion now required all funeral homes to incorporate their entire basic services fee into the price of these four alternate services. For example, if a funeral home’s basic services fee was \$1,800, then its price for direct cremation had to be more than \$1,800 because the entire basic services fee had to be incorporated into the direct cremation price,” he added.

NFDA disagreed with that interpretation and formally requested clarification from the FTC staff. The clarification agrees with NFDA’s position. “This FTC Staff advisory opinion is important because it finally puts to rest the question of whether a funeral home’s prices for these four alternate services must be greater than the funeral home’s basic services fee,” Gilligan said. “The answer is that it does not. When pricing the services of forwarding remains, receiving remains, immediate burial and direct cremation, a funeral home may include only a portion of its basic services fee; it does

### What the FTC Advisory Statement Means for Funeral Homes

Realistically, all the Federal Trade Commission’s advisory statement on the basic service fee did was reaffirm the perception under which funeral service has operated for years.

“If the FTC had said all of a sudden that you couldn’t discount the services for the funeral director and staff for their four basic packages, it would have created quite a bit of pricing problems,” said David Nixon, president, Nixon Consulting, Chatham, Ill.

Nixon has maintained that it is not always advisable to reduce the service charge, especially for direct cremation. “I think the firms need to be offering more value for direct cremation and charging appropriately and that would include charging the full price of the services of the funeral director and staff,” he said.

Although there are operators who maintain a \$795 or \$995 direct cremation, Nixon believes that a traditional funeral home that has the expense of personnel and facilities and does not charge full price for their service is creating a formula for failure, as the cremation rate keeps growing.

Funeral service has been fighting an uphill battle attempting to re-educate the public that cremation is not cheap. The message should have changed about 20 years ago. “Earlier it would have been appropriate and timely to have jumped on the wave,” Nixon said. “Now funeral homes are in the post wave trying to re-educate and create a justification for higher cremation charges. It is an uphill battle.”

Nixon said that according to a survey he developed several years ago, he found that when the average funeral home hit a 31 percent cremation rate, it would significantly impact the business. “We’ve kind of passed that 31 percent breakpoint and funeral homes are starting to feel it,” he said. “Factor in the economy over the last year or so, people tend to be a little more price conscious and they think that cheap cremation is the way to go.”

not have to incorporate the entire amount of the fee into the price of those services.”

Gilligan noted that in a related aside, the advisory opinion also addressed home funerals involving a funeral home that provides limited services. “The advisory opinion states that, in these circumstances, a funeral home may offer a reduced basic services fee that is commensurate with the limited services it is providing,” he said.

## Second Advisory Opinion

Gilligan also reported that the FTC staff issued a second advisory opinion on Nov. 24 regarding merchandise warranty claims. At issue was a statement made in a funeral home advertisement claiming that a vault was “waterproof and has a warranty in writing.” According to Gilligan, the advisory opinion addressed the question of whether the claim that the vault was waterproof violated the Funeral Rule’s prohibition against funeral providers making false claims about the protective features of funeral merchandise.

“FTC staff stated that if the manufacturer’s waterproof claim was in fact untrue, then the funeral provider had violated the Funeral Rule,” he said. “Further, the advisory opinion found that even if the funeral provider was simply repeating the claims made in the warranty, the funeral home would violate the Funeral Rule because it was adopting the warranty claim as its own.”

Gilligan said this opinion reinforces NFDAs’ advice that funeral homes should review all of the warranty claims made by the manufacturers of the merchandise it sells. “If any of those claims regarding the protective features of the merchandise cannot be substantiated, the funeral home should not sell that merchandise,” Gilligan said. **MBJ**

---

## Supreme Court Refuses to Review Maryland Funeral Home Ownership Law

**ARLINGTON, VA.** – The U.S. Supreme Court declined to review of Maryland’s funeral home law, which forbids corporations from owning funeral homes and allows only Maryland-licensed funeral directors to own funeral homes in the state. In 2007, the law was struck down under the Commerce Clause of the U.S. Constitution on the grounds that it discriminated against companies from other states. However, the Fourth U.S. Circuit Court of Appeals reversed the lower court decision and reinstated the law, maintaining that the interstate movement of investment capital and profits — as opposed to physical goods like caskets or gravestones — is not “commerce” within the meaning of the Commerce Clause.

According to the Institute for Justice, litigators representing the five plaintiffs seeking to have the law overturned, no other state limits funeral home ownership in this manner, and Maryland’s ownership restrictions have been very effective in preventing out-of-state companies and investors from entering the Maryland funeral home market. Under a prior law, the state issued corporate funeral home licenses — 58 of which have been grandfathered to the present day. The only way to get such a license is to purchase one from a licensee with a price tag that hovers around a quarter of a million dollars.

James J. Doyle, general counsel for the Maryland Funeral Directors Association, which supports the law, said he wasn’t surprised the court did not review the law. “This law has been extensively reviewed by the legislature over a number of years, and now extensively reviewed by the courts and it has withstood the challenges to it,” Doyle said. “It’s a consumer-friendly law in that it also protects consumers by making sure a person who operates a funeral home has a very real interest in making sure things are done and run correctly since the person holds a funeral directors license.”

In a press release, Clark Neily, senior attorney for the Institute for Justice, said, “Industry insiders now have a road map for how to saddle out-of-state competitors with anti-competitive business regulations like the ones at issue in this case that funnel \$800 per funeral in pure, unearned monopoly profits from the pockets of Maryland consumers into the pockets of the Maryland funeral cartel.” The Institute for Justice argues that the Supreme Court’s decision not to review the Fourth Circuit’s ruling could have serious consequences in other states covered by the Fourth Circuit Court, which covers Maryland, Virginia, West Virginia, and North and South Carolina.

The plaintiffs asked the Supreme Court to review that law because prior decisions of the high court, as well as other federal courts across the country, make it clear that the interstate movement of money is a form of “commerce” protected by the Constitution, according to the Institute for Justice. If it were not, then states could wall themselves off economically by passing laws that forbid out-of-state entrepreneurs from investing in local businesses.

**MBJ**

## FTC Orders SCI to Divest Funeral Home, Cemetery To Complete Acquisition of Palm Mortuary

WASHINGTON, D.C. – The Federal Trade Commission has mandated Service Corporation International to sell a cemetery and a funeral home in the Las Vegas area to complete its proposed acquisition of Palm Mortuary Inc.

The state of Nevada filed a lawsuit Nov. 24 in federal court in Las Vegas over the planned acquisition of Palm Mortuary. The suit alleged that the proposed transaction would have violated the federal Clayton Act covering antitrust law and the Nevada Unfair Trade Practice Act.

According to the FTC, which announced the settlement Nov. 25, the consent order resolves the commission's concerns regarding the proposed transaction's potential anticompetitive effects. Palm Mortuary has seven locations in the Las Vegas area.

SCI is the nation's largest funeral home and cemetery operator, as well as the third-largest provider of cemetery services in Las Vegas.

According to the FTC, SCI's proposed acquisition of Palm would have reduced the number of significant competitors from three to two, and SCI would have controlled 76 percent of the cemetery services market for funeral services.

"The transaction would have increased the likelihood that the combined firm could raise prices either unilaterally or through coordinated interaction with its only remaining competitor," the FTC stated in a press release. "Entry of a new competitor in the area is not likely to counteract the alleged anticompetitive effects of the acquisition, due in part to the limited amount of land in Las Vegas that is suitable for cemeteries."

The FTC consent order is attempting to remedy the anticompetitive effects of the proposed acquisition by requiring SCI to divest Davis Memorial Park, currently its only cemetery in the Las Vegas area, as well as the funeral home on the same property. SCI also will be required to divest the rights to the Davis trade name and the preneed service contracts associated with the Davis facility as well as another funeral home it owns in the Las Vegas area.

The divestiture must be made to an FTC-approved buyer, and completed within 90 days after SCI acquires Palm.

"Cemeteries involve major purchases, typically at an extremely difficult time when consumers are most vulnerable," said Nevada Attorney General Catherine Cortez Masto. "It is critical to preserve competition in the cemetery market for local Las Vegas families."

We worked with the attorney general's office to craft that settlement agreement," said Lisa Marshall, managing director of corporate communications for SCI. "We thank the attorney general for her diligence and look forward to serving the families of Las Vegas."

Other FTC mandated requirements include:

- SCI must maintain the divestiture assets as economically viable, marketable, and competitive until they can be divested to the Commission-approved buyer.
- FTC may appoint a trustee to divest any assets that SCI does not sell in a timely manner and to seek civil penalties from SCI if it fails to comply with the consent agreement.
- For 10 years, the proposed order requires SCI to give prior notice to the commission before acquiring any interest or assets related to the provision of cemetery services in the Las Vegas area.

SCI owns one other funeral home in Las Vegas, Thomas and Jones Funeral Home, which is not part of the consent agreement.

Palm Mortuaries, which earns \$30 million in annual revenues, includes five funeral home and cemetery combination operations, three stand alone funeral homes, one flower shop and one monument shop.

## Action Items: Gearing Up Financially for 2010

*Editor's Note: Action Items will be a recurring feature in the Memorial Business Journal where we ask some industry experts their thoughts on how to improve the performance of a funeral home or cemetery. In this issue, we talk finance and positioning your business with Jake Johnson, president of Johnson Consulting Group, Scottsdale, Ariz., and Robert Lomison, president and CEO of Letum Inc., Harrisburg, Pa.*

### Given the recent economic gyrations, how can funeral homes and cemeteries best gear up for 2010?



Jake Johnson

**JJ:** Funeral homes and cemeteries will need to be sure to budget their income, expenses and capital needs very carefully. There are a lot of business owners that do not seem to budget to begin with, so budgeting at all actually will be important. If you are not monitoring your cash needs, you could find yourself in a need for a line of credit or loan, which may not be obtainable, no matter how good your relationship is with your bank.

When you budget, you should determine your actual cash (EBITDA) and then compare it to your principal and interest payments on debts you have. Banks call it the fixed charge coverage or debt service coverage ratio. If you are below 140 percent of coverage then you need to watch your budget closely. The business can be slow one month and busy the next. All of us funeral professionals understand that, but sympathy from banks right now is very low.

### What are the consequences?

**JJ:** The long-term consequences could be layoffs, reduction in health plans and 401Ks, deferred maintenance and then ultimately customer service. Don't let this happen to you. Those businesses that watch their expenses through budgeting and good accounting should be well ahead of the curve during these tough times.

### OK, what is step one?

**JJ:** As I mentioned, having a budget and a plan in place for at least one year is the first step. Be sure you have good accounting records in order so you can respond to change quickly when it occurs (even when the change is good). If you end up operating on a very tight budget, you will want to be sure you have good collection policies in place and receivables are being collected on a timely basis.

How is your collection policy? If your receivables are more than 30-45 days of business sales, then you may need to adopt some better policies that generate more timely cash flow. Proper scheduling for funerals is a very interesting item we see with the clients we are working with or have worked with. If you are not masterminding your scheduling, you could set yourself up to have poor customer service on some funerals and unnecessary overtime resulting in a risk of volume and profit to your business.

### What are the questions the managers should be asking themselves?

**JJ:** As we see in our management services, you need to constantly be focusing on Workplace, Marketplace, Customer Service and Financial aspects of your business. Is your organizational chart correct? Do you have the right people in the right spots doing the right thing? Do people know what their job description is? Do they have one? Are you price shopping your competition? Are you competitive in your market? Why do people choose your business? (You can't simply say that it is because you offer a good service — they should already be expecting that!) Are you surveying your customers and taking those opportunities that are posed through surveying to follow-up with a thank you or correcting an issue the family may have had? All this being said, if your "house is in order," you are that much better off during these times when banks are tightening up their potential for credit lines and loans.

### How would this affect a funeral home as it approaches time to set up the budget for the next fiscal year?

**JJ:** Again, when it comes time to do a budget, you should not just think about "normalizing" just the revenue versus the expenses, but you also need to figure out what your net cash will be from those results after you pay debt and then be sure to budget money for capital needs that would probably go to your balance sheet and not be seen on the P&L. If you don't like the result after you do this or if it is too close on an annual or even a monthly basis, then you need to make some adjustments — if you can!

With the way the credit market is going, you may need to perform an interest rate stress test. How high can the interest rate go before you are negative? For some, this answer could be a scary one. Lastly, all of this being said, interest rates are at their lowest rates in years. Starting the process now to test the waters for re-amortizing your loan and getting a better interest rate should be done if you feel your fixed charge coverage is low. All they can say is no. Through our

loan sourcing services, we can even prepare the presentation of those loans in the best light to increase the chances for success even in a financial market as it is today. Remember, with good planning and careful control and accounting of your business, you should be able to tackle these times and come out of it that much stronger in the end.

---

*Without question, the recession impacted how consumers looked at death and dying. Cemeteries were particularly hard hit not only because of the economy but also because of the changing attitudes of consumers about cremation. We asked Robert Lomison, whose firm owns and operates cemeteries and funeral homes in Louisiana, New York, Pennsylvania, Texas and Washington State, how cemeteries can best position themselves going into 2010.*

**Cemeteries depend on the cost of graves and the advance sales of plots to pay for maintenance and expansion.**

**RL:** I operate both traditional upright monument cemeteries and memorials parks in five states. Regardless of the age of the property, revenue generated by the sale of burial spaces, mausoleum crypts or cremation niches has always been an important income stream to fund current maintenance and expansion plans.



**Robert Lomison**

We think it is all about positioning. Properties that we own that have a seasoned group of memorial counselors have not experienced a change in results. Interesting that one of our locations is near Buffalo, N.Y. This area of western New York is experiencing high levels of unemployment, and negative growth. However, we continue to achieve sales success month after month despite these conditions. Being positioned correctly with staff that is trained to provide strong customer service has resulted in our best year to date.

However, at another location we operate in the south where conditions remain relatively stable, we have experienced the worst year to date. This location typically hits all goals and has been our No. 1 property in terms of burials, deposit levels on advance planning contracts and has a level of memorialization. We feel it had everything to do with the fact that we were not positioned correctly. We had high turnover in the sales staff resulting in poor performance.

**Are consumers spending habits changing?**

**RL:** Yes, spending habits are changing. We have seen a tremendous number of families select cremation, and not utilize the services offered by the cemetery. Further, we have experienced families of veterans that purchased an entire pre arrangement package except for the professional service fee (opening and closing) not use any of these services purchased. They have elected to use a federal or state veteran's cemetery at no cost.

**What effect has the decline of perpetual care income had on cemetery operations?**

**RL:** Again, it is about positioning. In this case we utilize the services of outside investment management that works with our trust departments to manage the assets of the perpetual care funds. We did experience less income from this source in 2009, but our trust performed sufficiently to fund all the budgeted capital improvements or replacement of equipment planned. However, we did reduce the number of seasonal workers employed and or replaced full time employees that resigned or retired with seasonal workers reducing payroll and employee benefits.

We have had a wage freeze in place since December 2008, which has been extended to June 2010 for all employees.

A perfect storm has been created for cemeteries that have not positioned themselves correctly due to the following factors:

- Reduced interments due to declining death rate.
- The increase in the number of families selecting cremation, but not using a cemetery.
- Advance sale of burial rights, mausoleum crypts or niches declining.
- A decline in revenue being generated by the perpetual care Trust Fund.
- A prescription for disaster.

**What can cemetery operators do to build revenues as the economy recovers.**

**RL:** We are being cognizant of consumer changes. We are creating meaningful cremation options at all locations, and providing education to consumers on why a cemetery is relevant to families selecting cremation. Further, it is imperative that we work with funeral directors educating them on why it is important that we all work together to create meaningful celebrations of life that include both of our services. We must work together. It is in our long-term interests.

# Providing Consumers With Payment Options Rid Your Business of a ‘Total and Negative Distraction From the True Mission of Funeral Service’

*Editor’s Note: Monday, June 25, 2001, was a significant day in the history of Heffner Funeral Homes & Crematory. It was the day that Ernie Heffner rid his business from what he called “a total and negative distraction from the true mission of funeral service.” This was the day his firm “got out of the lending business” and put an end to his company’s receivables issue. Since then at various industry events Heffner has told and re-told the story of what led him to this decision, how he implemented it and what has been the result of implementing this policy. This article was taken from his most recent presentation during the Pennsylvania Cemetery, Cremation and Funeral Association’s Super Expo on Nov. 19.*



Ernie Heffner

**PHOENIXVILLE, PA.** – Historically the payment policy at many funeral homes has varied from door to door with mixed results. Being paid may be less of an issue at cemeteries, which usually require payment at the time service is rendered. However, there are cemeteries that have extended credit to funeral homes for grave openings and have ultimately end up with an uncomfortable C.O.D. situation to keep delinquent outstanding accounts from ballooning larger.

How difficult and unclear do you make it for your customer to pay you? I think a lot of us unknowingly do that. We have a simple payment policy for our customers to pay us if that is what they intended to do in the first place. Customers don’t count if you don’t get paid for your services.

There may be a variety of methods to consider but there is simply no substitution for a clear payment policy that avoids accounts receivable, bad debts and any misunderstanding with the customers. It is our responsibility to create that and you need the proper tools to be paid at time of arrangement. That includes paperwork and methods of payment.

Your General Price List (GPL) should include your clear payment policy and payment options. We have the payment policy framed and prominently displayed in the arrangement areas. (See pgs. 17 and 18 for samples of payment policy and payment options.) A statement of goods and services selected should also include your clear payment policy and payment options, whether or not you handle cash advances and disclosure of insurance assignment fees. This is a no recourse assignment. We’re paid in 24 hours, the money is wired into our account. Has anyone had an insurance assignment when someone unassigned it? Or the insurance company paid it to the customer instead of paying it to you?

A lax payment policy results in untimely receivables, delinquent accounts, expensive bad debt — all of which translates to increased costs to the paying consumers, more work with no income, more use of facilities and equipment with no income.

We developed the following payment policy, training, explanation and role-playing exercises to make the implementation as seamless as possible. The following was provided to all arrangers and office staff. While there was a reasonable level of anxiety with the anticipation of implementation, there was the promise that the reward would be the elimination of the need to dun accounts, chase belligerent, arrogant attorneys or seek collections through magistrates, all of which give sensitive, caring funeral directors a restless night’s sleep.

We offer 11 methods of payment to make it easy for the customer to pay you. These are:

- Cash
- Check
- Debit card
- Visa
- MasterCard
- Discover
- Diners Club
- American Express
- Insurance assignment of a verifiable policy

- Advance payment by forwarding or receiving funeral home
- Pre-arrangement

*Editor's Note: One attendee at the session mentioned that she only accepts certified checks at her funeral home. Heffner noted that in Pennsylvania, it is his understanding that the penalty for bouncing a check over \$500 is up to two years in jail plus costs.*

## Presenting the Payment Policy

Let's consider some nonthreatening methods for presenting your payment options to consumers. When we started with our payment policy, we started with the "run and hide" method. After reviewing the arrangements requested and calculating the total expenses, simply begin by saying, "There are a variety of ways to handle these expenses." Present the form and then say, "I will excuse myself for a few minutes while you decide which option is best for you." The payment option form lists the 11 methods of payment. Leave the room and allow the family some time to consider their options and to make a selection. That is why I call it the "run and hide" method.

More experienced arrangers may prefer the "matter of fact" method of presenting the payment policy. Once funeral directors get a little more confident in their approach, they stop the "run and hide" method. Calculate the total expenses and present the family with the figures. "For your convenience, we accept these 11 methods of payment. Most families use a check or credit card. What would suit you best?"

In addition to having the payment policy displayed in a conspicuous place (such as in the arrangement office), each arranging director should have a copy of the payment policy in his or her personal arrangement book. Arrangers should be provided with, study and role-play specific suggestions of what to say, how to present and how to respond to questions.

Management must be prepared to back up the arranger and the policy by accepting the reality of "catch and release." Do not waffle or discriminate, it compromises your integrity and creates liability. You have to be consistent and the people you are working with have to know that you will be consistent.

## The Story Behind the Policy

In accordance with Truth & Lending Act, "We don't lend, and that's the truth." The credit con game is played by some very good actors who hope to dupe us into thinking that funeral credit is granted by the U.S. Constitution and guaranteed by the Bill of Rights. Well, it's not. This is a cash flow issue. Do you ever feel frustrated with receivables? Your bills are coming in and you are looking at these receivables like warm fuzzies and they would be much better in your check-book.

# Payment Policy

To lose someone you love is a devastating human experience. It is frequently traumatic and can seriously impact judgment. We believe in the importance of the recognition and meaningful celebration of a life that has been lived and will assist in arranging an appropriate service to meet your individual needs.

It is also important to be realistic in respect to funeral expenditures. We do not want a family to spend more than they should nor less than they would like. What is important is that arrangements be in keeping with a family's wishes and budget.

Provisions for payment are due at time of arrangements. To avoid any possibility of misunderstanding or embarrassment and for your convenience, we accept the following methods of payment:

**Cash – Check – Debit Card**  
**Visa –MasterCard**  
**Discover - Diners Club - American Express**  
**Insurance Assignment of a verifiable policy**  
**Advance payment by forwarding or receiving funeral home**  
**Pre-Arrangement**

## Payment Options

To lose someone you love is a devastating human experience. It can be traumatic and seriously impact one's judgment. Therefore, it is important to be realistic with respect to funeral expenditures.

We do not want your choices to be more than is affordable nor less than you would like to arrange. What is important is that arrangements be in keeping with your wishes and budget.

We believe in the recognition and meaningful celebration of a life that has been lived and will assist in arranging an appropriate service to meet your individual needs. For your convenience, we accept the following methods of payment.

Please initial payment option that is best for you.

1. Initial \_\_\_\_\_ Cash or Check

2. Initial \_\_\_\_\_ Credit or Debit Card

\_\_\_\_\_

(Debit Card, Visa, MasterCard, Discover, Diners Club, American Express) Card Number

\_\_\_\_\_

Expiration Date Name on Card

3. Initial \_\_\_\_\_ Insurance Assignment of a verifiable life insurance policy.  
This fee would be added to your total balance due.

4. Initial \_\_\_\_\_ Advance Payment by a forwarding or receiving funeral home.

Do you want to know who motivated us to revise our payment policy? Deadbeats and some lawyers are the culprits who motivated our revision. In hindsight, I am glad they did. We live in a litigious society. We cannot discriminate in extending credit to clients unless we are willing to run a legitimate credit check on each and every family we serve and to which we extend credit in any amount or for any amount of time. If a family isn't paying you when making arrangements, and you didn't extend credit to one family because you didn't know them but you did extend another family credit because you did know them, a lawyer can challenge you. Knowing someone isn't good enough. You should be running a credit check with a legitimate score and have a system where you can say above 710 to extend credit or below 710 you will only extend limited credit. You have to have all this documented or you are discriminating in credit. This way we can prove that we are treating everyone equally. Running a credit check before going ahead with services seems unacceptably onerous. It also creates problems and makes you the bad guy.

How else do we protect ourselves from the customers who won't pay us? A credit check also requires that we be the bad guy deciding credit worthiness rather than a bank or other lender.

Also, the less-than-cooperative lawyers, the ones who tell the family not to worry about it and that the estate will pay it when the house is sold, which could be months or years because the family overvalued the asking price by adding sentimental value, and then try to refuse to pay the interest due, or they hand the money over to a family member who spends it on anything *but* the outstanding funeral bill. I can't imagine this only happens in my neighborhood.

How does a funeral home protect itself from these special cases and lawyers? Why should the funeral home even deal with them in the first place?

Consider these scenarios:

- The sweet elderly woman who assured the funeral home she can and will pay the bill but miraculously, after the ac-

count becomes delinquent and payment is requested, turns into a cussing, fire breather that could make a Marine Drill Sergeant blush. When we examined our accounts receivable, our problem accounts, every single one of them was an elderly white woman.

- At time of arrangements, the children who promised Mom that they would all chip in and pay for the funeral but after the service, they all disappeared. How many times have we heard this story? It is hard to imagine this has only happened to us.

- One of three children, who lived locally, collected two-thirds of her mother's funeral expenses from her two out of state siblings but never paid it to the funeral home. Shortly thereafter she died and a different firm was called to handle her funeral. Do you wonder why?

- A man dies and his wife makes some occasional payments for a few years and finally stops. Her 47-year-old son dies. The firm had been very gentle with collecting the account, which still had an outstanding balance of about 15 percent less than the original bill in 1989. Now we have the privilege of a second account with this family. Is this why we're here?

There is no end to the stories. Our experience was that these situations arise at any location, in any community and are experienced by every arranger.

### **'It Was My Fault'**

Guess who's to blame for these problem accounts? It's not the fault of the problem customer. It is simply their role in society to be a burden on people who have integrity. It is by their actions that we are fully able to appreciate the good people in life. It is not the fault of the arranger. Every arranger deals openly and honestly with clients. All arrangers hate dunning accounts, being lied to, going to the magistrate or dealing with arrogant, uncooperative attorneys.

In our case, it was my fault. As the owner, I am responsible for the establishment and implementation of whatever system is in place. The system was inadequate. The arrangers were unable to protect themselves and the company from these deadbeat customers and it was unfair to our good customers. It was time to muster the business courage to institute an improved system in step with the times, one that would benefit the good customers, our staff and the company.

It's funny, I hear other owners complain about the same receivables problem I once had and realize the answer, as it was for me, is in the bathroom mirror.

I decided this was no longer going to be our problem. Our system in the past has allowed these clients to make their problem our problem. We decided to place the problem back where it came from and where it belongs — with the customer. I believe that every one of us has plenty of our own problems and really doesn't need any more problems. However, if any one feel's differently and would like some more problems, they are welcome to personally lend money to the client and subsequently collect the debt and interest themselves (if they can). We have had some funeral directors that have done that in the past.

It is possible that some clients may decide to go to another firm that will allow them to transfer their problem on to the books of that firm. That's part of a policy decision. The other concern might be potential bad word of mouth both with family members and friends in the community.

If a family member is in a position to lend money to a relative but refuses to provide financial assistance, the message should be loud and clear to us. Think about it. People tend to associate with others like themselves. It is simply human nature. Family members and friends are the people who we each have the most influence with. They are the people who know us and will or will not respect our opinion based on what they know of our lifestyle and integrity.

I believe that, generally, deadbeats are only credible to others like themselves. They can therefore help us avoid future challenges by telling other deadbeats that we are not easy suckers to prey upon.

Here are a few of the more frequently asked questions:

#### **How can we help our clients to feel pride?**

Pride is the feeling we need to convey in two ways. First, we need to let our clients know that we feel proud to have the privilege of serving them. It's an honor we take very seriously. We are proud of the quality of service and facilities we provide.

Second, if a question about our payment policy comes up, we need to point out that they can feel proud to be dealing

with our company because only people who pay there bills deal with our firm. We tell people this. That puts them in a very special and valued group. They too can feel proud to be using our services.

**What about payment plans?**

No. Our company does not offer at-need financing or payment plans. The one company that did offer at-need financing to customers of funeral homes across the country went out of business in a very ugly way and cost us \$34,000 when they went bankrupt. Yes, we were among the funeral homes that got burned. Credit sensitive interest rate paper proved to be bad business as the “professional lender,” with all their skill and credit checking, apparently too often did not get paid.

**What about estates?**

No. We do not deal with estates. A customer is in a much better position than our company to pressure an estate and secure reimbursement in a timely manner. An attorney can open up an estate account within 24 hours. It is not a dragged out proposition.

**How do we present the payment policy?**

As I said earlier, after calculating the total expenses, you say: Mr. or Mrs. Customer, based on your selections, the total expense including outside parties is \$?????. For your convenience, we accept the following methods of payment: Cash, Check, Debit Card, Visa, MasterCard, Discover, Diners Club, American Express or Insurance Assignment. Most families use a check or credit card. *Which would suit your best?*

At this point, you do not say another word. It is now up to the client to respond. You have provided the options and must allow them the opportunity to decide what’s best for them.

What if after waiting, the response you get is none of the above?

There may be additional questions asked by the customer. If the customer has a question relative to method of payment, answer their question but always get back to your question. *Of all these options, what would suit you best?*

You must ultimately get a clear and specific answer to your question. You do not necessarily need to respond to all statements made by a client. For example: “I wasn’t prepared to give you a check at this time.” “I don’t know where I’ll get the money to pay for this.” These are statements, not questions and they do not require you to respond.

Your silence lets the question you asked remain with them and stand as needing to be answered. If you respond to a statement, you have allowed the client to transfer their problem right back to you. Now you will need to restate the question and start all over with the process. Don’t get into a ping-pong match with people. You need a straight answer to your straightforward question.

Why should you get stuck? Here are some responses for anticipated questions:

**I don’t have enough in my checking account to cover this?**

Would you prefer to use a credit card? That way you will not be billed until your next statement and even then you will have the option of only making the minimum payment on the account. Would that be best for you?

**My credit card doesn’t have a high enough limit to cover this much.**

With good credit and payment history, the credit card companies will usually be willing to make an emergency credit increase to cover funeral expenses. Shall I try to arrange that for you? (Take a look at the back of any credit card you have in your wallet, there is a toll-free telephone number to call 24/7. You can get someone from the credit card company to request an increase. If the credit card company, which instantly has the customer’s payment history in front of them on their computer screen, chooses to deny a credit increase, why in the world would you extend credit?) This is being helpful to people.

**I don’t have any credit cards.**

Is there anyone else here (at the arrangements) that has a credit card?

**We want you to split the bill between the four of us children.**

That’s fine. Would you prefer to use cash, checks or credit cards?

**I don't have the means to cover this but my two wonderful sons said they would help me with the expenses.**  
That's fine. Would your two wonderful sons prefer to use cash, checks or credit cards?

**I don't have enough in my checking account, I don't know anyone who trusts me who has a credit card and all I have is this insurance policy.**

That's fine. If you would prefer to assign the insurance policy, I will verify the policy proceeds for you and arrange for the assignment. Would that suit you best?

**I don't have enough in my checking account, I don't know anyone with a credit card and the only insurance is at work and I don't think they will assign the proceeds.**

Actually, sometimes they will. Would that suit you best?

**I don't have insurance, I don't have credit cards, I don't know anyone who has a credit card, I don't have a checking account and I don't have any money.**

That's not so good. You have a problem. How were you planning on taking care of these expenses?

**We thought we'd make payments.**

That's not one of the 11 options. Why don't I excuse myself for a few minutes and give you a chance to discuss this matter?

(After the arranger comes back) **We still don't know how to pay for this?**

Maybe it would be best if you folks went home and had a family meeting to discuss this. I can assure you that we are in no rush to proceed. Your loved one is in good hands. What's important is that we settle on arrangements that are in keeping with your family's wishes and budget. Final expenses should not be a burden for anyone. Does that make sense to you?

**What if I call another funeral home?**

You are welcome to consider calling another firm but keep in mind they will probably ask us why you are changing firms.

**They didn't do it this way at the XYZ Funeral Home when I buried Mom five years ago.**

Mr./Mrs. Client, I am sure you know how our world is changing every day. When you read the newspaper, you see how we are all impacted by the bad deeds of a few others. There are laws that prevent discrimination in extending credit. I can tell you countless stories of experiences with people who have flat out lied to us. I can tell you about certain attorneys who have delayed estates and not paid accounts promptly. It is deadbeats and some lawyers who made us re-evaluate how we do business. We offer 11 payment options, what would be best for you?

An alternative response: At one time, it seemed that people took pride in paying their bill promptly and in keeping good credit. Today, there are a percentage of people who simply don't care. We had a choice to make. We either needed to set a policy that protects us from people who don't pay their bills or we needed to raise our prices on people who do pay their bills in order to cover the deadbeats and we decided that's not fair to the good families like you. Because of this background and the times we live in, we have established a payment policy that does not discriminate, is fair to our good clients and prevents deadbeats from getting a free ride. You can be proud of the fact that you have good credit. You can feel good that you do not have to pay the hidden cost of someone else's funeral bill at our firm. Does this make sense to you?

If this does not make sense, they were not intending to pay the bill anyway and now they know that you know that.

To feel comfortable presenting the payment policy, keep the following points in mind.

**1. Ask a question and stop talking.**

You must wait for a response. Resist the temptation to keep on talking regardless of what body language you may be witnessing.

**2. Do not embellish the presentation.**

Adding more information to the initial presentation will only confuse the question and make the decision making process more difficult for the client.

**3. Be assumptive.**

Assume that there will be no question. Expect a direct simple reply from the client.

**4. Rehearse what you are going to say and how you are going to say it.**

You should practice your response with another arranger. With rehearsal, you will feel more confidence in your ability to deal with any question or situation.

**5. Stay relaxed and matter of fact.**

By rehearsing your role and responsibility, you will be able to stay relaxed, assumptive and matter of fact manner.

**6. Your purpose is to insure that the client is always able to meet their financial obligation.**

How they decide to do that is their choice. Your responsibility is to provide the options and let them decide.

**7. Always be cordial and professional.**

Remember that it is a small percentage of our clients who are planning to stick us. It is only these clients with whom you may need to be more specific and blunt by elaborating on the payment policy with statements like:

- a. To avoid and unnecessary embarrassment or misunderstanding, I will not place any time of service notices in the newspapers until you are able to resolve this matter.
- b. May be you should go home and discuss this matter together and privately as a family.
- c. You may wish to consider calling another firm, but remember, they will probably ask us why you are making a change.

**8. Never accept a check and agree to hold it.**

These are the exact clients who have caused collection problems in the past.

In wrapping up the subject of payment policy, here is how I responded to a few questions business friends have asked.

*How much resistance did you get when you implemented this payment policy?*

Implementing a change in our payment policy was not as easy as flipping a switch. We did have some separation issues with staff. Initially there was significant resistance from certain associates in spite of the fact that we had very little resistance from our customers. Except for the customers who were traditionally a problem. After seemingly being unable to grasp the concept that the payment policy change was not elective, several arrangers were granted a week off without pay in order to have the time to reflect on their career decisions. Most of these benevolent souls are no longer with us. They left with our receivable issues.

*What about needy families?*

As a point of clarification, my associates have always had the latitude to financially assist the “worthy poor” by discounting services to meet their charity-worthy financial circumstances. However, the terms of payment still apply.

*What happens when a family decides to go to another firm?*

The problem account goes with them. Was that really the question? Look, it happens and usually at our suggestion. The real question for you is, “Am I emotionally able to get over it?” If, as they say in fishing, the concept of catch and release is too untenable for you to consider, then by all means, ignore the concept of being fiscally prudent and keep overcharging your paying customers so that you can work for free for the people who had no intention of paying for your service. Just hope that your paying customers, the ones who are paying for the deadbeats, and your staff, the people who are doing more work without more pay, don’t figure out how your payment policy decision adversely impacts their costs and paychecks respectively.

It is my sincere hope that not all funeral homes adopt this payment policy. After all, where would we send the people who have no intention of paying their account? We sincerely appreciate being able to, when the need arises, help a family find a firm that can better meet their needs. It is comforting to know that our good customers are receiving the undivided attention of our associates, a staff that is not distracted serving deadbeats.

*Ernie Heffner is president of Heffner Funeral Chapels & Crematory, York, Pa. This workshop was presented at the Pennsylvania Cemetery, Cremation and Funeral Association’s Super Expo on Nov. 19.*

## The Notebook



**Miller Architects & Builders**, St. Cloud, Minn., has broken ground on **The Elms Funeral Home** in Elmwood Park, Ill., a family owned and operated funeral and cremation provider. The Elms Funeral Home owned by Eugene Cha, who also owns **Kolbus-John V. May Funeral Home** and **Lawrence Funeral Home** in Chicago. The new 9,165-square-foot funeral home replaces an existing facility destroyed by fire. Located on a ½-acre site that is the gateway to the Elmwood Park Village Center, there will be ample off-street parking around the village center as well as 25 on-site parking stalls. The new facility will feature a large lobby with stone fireplace and two-story entrances on both ends of the building. Other features include a 200-seat chapel that is dividable, two family lounges for separate visitations, arrangement room and merchandise selection room, preparation room and dressing/staging room, and double garage with flower delivery room. The second story includes offices and an efficiency apartment. The facility will be completed in the spring of 2010.



Scott M. Jones, Service Casket Co., Columbus, Ga., has been elected 2009-10 president of the

### **Casket & Funeral Supply Association of America.**

Jones is the 60th president in the association's 96-year history. Other officers elected were: vice president – Kevin L. Thomson, Dixline Corporation, Galva, Ill.; treasurer – John Malone, Mac Machine & Metal Works, Connersville, Ind.; and immediate past-president – Kaye Starnes, Edgecombe Casket



Scott M. Jones

Co., Rocky Mount, N.C. Directors elected to three-year terms were Billy Emrick, Astral Industries, Lynn, Ind.; Pamela Soper, Tiedemann-Bevs Industries, Richmond, Ind.; and Scott Wright, Matthews Casket Division. They join directors John Cooper, Thacker Casket Co., Florence, Ala.; Kyle A. Grimes, Keith M. Merrick Company, Sibley, Iowa; James D. Hiester, W&M Manufacturing, Portland, Ind.; Robert Hoaglund, Messenger, Auburn, Ind.; James F. Strouse, Schuylkill Haven Casket Company, Schuylkill Haven, Pa.; and Len Weber, Aurora Casket Co., Aurora, Ind.



Co., Rocky Mount, N.C. Directors elected to three-year terms were Billy Emrick, Astral Industries, Lynn, Ind.; Pamela Soper, Tiedemann-Bevs Industries, Richmond, Ind.; and Scott Wright, Matthews Casket Division. They join directors John Cooper, Thacker Casket Co., Florence, Ala.; Kyle A. Grimes, Keith M. Merrick Company, Sibley, Iowa; James D. Hiester, W&M Manufacturing, Portland, Ind.; Robert Hoaglund, Messenger, Auburn, Ind.; James F. Strouse, Schuylkill Haven Casket Company, Schuylkill Haven, Pa.; and Len Weber, Aurora Casket Co., Aurora, Ind.

The **Indiana Funeral Education Foundation** will fund a limited number of tuition paid scholarships for embalmers to attend a 3½ day Embalming Skills Seminar at the **Fountain National Academy of Professional Embalming Skills** in Springfield, Mo. This is an opportunity for an Indiana Funeral Directors Association member firm to send their embalmer to the only regularly scheduled advanced embalming educational facility in the United States. To be eligible to

apply for the financial assistance, the employee must be: An Indiana licensed embalmer with between 3 and 7 years of experience; employed full-time by an IFDA member firm and regularly engaged in the practice of embalming and restorative art. Fountain National Academy conducts this particular seminar twice a year. Vernie Fountain, who founded the Academy 20 years ago, presents the sessions. He is assisted by guest lecturers Glyn Tallon and Dorian Harries of the United Kingdom. For more information, visit [www.indiana-fda.org](http://www.indiana-fda.org).

With the dramatic growth in cremation, **Shine On Brightly**, Asheville, N.C., is remaining true to its mission of offering unique, personalized memorial art. The company was founded in April 2008 by Adrienne Crowther, from a life-long passion for art, and the belief that every life deserves to be honored and celebrated. She defines memorial art as “an expression of love and honor for a loved one, person or pet, who has passed.” Pieces can either contain cremains, in the cases of jewelry or paintings, or can be commissioned to capture the essence of a loved one uniquely. The company’s offerings include cremation urns in a variety of materials and styles, memorial jewelry, memorial paintings, handmade books, memorial glass objects, memorial poetry, textile art, and more. Both commissioned and non-commissioned pieces are available. For more information call toll free at 866-844-4469, or visit [www.shineonbrightly.com](http://www.shineonbrightly.com).

**Advertel Inc.**, Pittsburgh, Pa., has developed **Prayer-in-the-Air**, a radio broadcast of inspirational programming that can be transmitted within and around the cemetery, and heard on the FM radio dial by visitors to cemeteries. By collaborating with several cemetery owners and counselors, Prayer-in-the-Air has been developed to comfort the bereaved, as well as provide helpful messages from the cemetery proprietor to help acquaint visitors and phone callers of other services available at their facility. Prayer-in-the-Air is also intended to be broadcast over the facility’s telephone hold button and/or web site. Hosted by a familiar Pittsburgh area radio celebrity, bereavement messages are delivered by clergy and nationally known author and psychologist “Doctor Katie” McCorkle. In radio-interview style, the cemetery owner or funeral director is afforded an opportunity to also present a history of the establishment, its philosophy and other family support services available. At the end of each message is always a friendly invitation to stop by the reception area to pick up a free gift. For a list of participating cemeteries, as well as audition a sample of Prayer-in-the-Air, go to [www.prayerintheair.net](http://www.prayerintheair.net).

MBJ

# ACT NOW!

Only 2 Weeks Remain  
to Save \$50  
Off Your Subscription to the  
Memorial Business Journal



Subscribe before Dec. 31 to take advantage of our Pre-launch Introductory price of \$149 for one year, which is \$50 off the regular price of \$199.

Site licenses and bulk subscription rates are available.

To sign up, fill out the form on the last page of this issue, or visit  
[www.memorialbusinessjournal.com](http://www.memorialbusinessjournal.com)  
Or call 609-815-8145

**Reminder: Beginning in January the Memorial Business Journal will be a weekly publication — available only by paid subscription. Sign up now and save!**

## Some Random Thoughts At Year's End...

As the year comes to a close, I traditionally sort through some random notes and attempt to tie together some loose ends. For me personally, the year was both challenging and rewarding and it ends on very satisfying note as we look to build on our early success and continue to grow the Memorial Business Journal in 2010. I guess after spending a number of years in one place, I do feel a little like Jay Leno moving to the 10 p.m. slot. And as you can tell by the page count of this issue, we had a lot going on in the final weeks of 2009. We are looking forward to helping you take on whatever challenges 2010 will throw at us. But before then, those random thoughts...

- At my recent high school reunion, some classmates engaged me in discussions about the death care profession. I was asked what kind of topics I'd be writing about in the journal. I said that I would be reporting and analyzing the news, but I also wanted to showcase more of the positive stories that help make up the death care profession. My classmates, like the general public, wonder what I consider to be a positive story coming out of funeral service. What I think I'll do is send them a copy of the Prospect Hill Cemetery story (page 1) and see if they get my drift.

- What Prospect Hill has done to honor veterans is amazing. Other cemeteries looking to broaden the scope of their property may want to look into a similar project. The Port Authority of New York and New Jersey, which owns the steel pulled from the World Trade Center, is looking to generate more interest in finding appropriate uses the steel. The Port Authority has placed ads in police, fire and municipal trade magazines offering the steel for memorials and tributes. The New York Times reported that there are about 1,800 pieces of steel ranging in size, although half of them very large, which are available to be hauled away at the recipient's expense. Requests for the steel must be approved by Judge Alvin K. Hellerstein of Federal District Court. The judge has since granted virtually all requests.

- I don't want people to think that I am not in the holiday spirit so this is more of an observation than a rant. Many years ago I was given a pair of fingerless wool gloves and I was told they were made for newspaper carriers who needed to make change. A few years later I was given a pair of leather fingerless gloves as a gift and told that they were called driving gloves. There was a period of time where women I'd see in clubs would be wearing fingerless gloves, calling them "Madonna gloves." A couple years ago I saw an ad for fingerless wool gloves touting that they would be an excellent gift for your letter carrier, "postal carrier gloves" I assume they were called. So last week I saw a pair of fingerless gloves in a shop, I asked the saleswoman what they were called and she told me, "texting gloves." I suppose I had a lot of nerve to be surprised by that.

- You can always tell when Mother Nature is rushing the seasons. Here in the northeast, a recent scene demonstrated this precisely: Snow covering the piles of leaves on the roadside that were still waiting to be hauled away.

- I still can't decide whether or not Bob Dylan meant his new Christmas album to be funny.

And in closing, I would just like to wish everyone a very safe, healthy and happy holiday season. Here's to continued good health, success and prosperity in 2010.

Edward J. Defort  
Editor

### Memorial Business Journal

P.O. Box 8066  
Trenton, NJ 08650  
609-815-8145  
or 609-271-7676

[www.memorialbusinessjournal.com](http://www.memorialbusinessjournal.com)

**Edward J. Defort**  
Editor

([edefort@memorialbusinessjournal.com](mailto:edefort@memorialbusinessjournal.com))

**Janel A. Bisacquino**  
Tech Consultant

Memorial Business Journal is a weekly, independent publication, which was founded in 2009 by Edward J. Defort, a national and international award winning journalist, who has covered the death care profession since 1996.

The mission of this publication is to provide independent, comprehensive news and analysis to all providers and suppliers of funeral-related goods and services.

Subscriptions are \$199 for one year (52 issues); or \$349 for two years (104 issues).

**Order before Dec. 31, 2009, to take advantage of the Pre-Launch Special one-year subscription of \$149.**

To order by mail, go to our web site and download the order form from the right-hand column. Enclose a completed order form with a check for \$199 and mail to the address at the top of this column.

To order by credit card, visit our web site and click the **Buy Now** button.

Bulk subscriptions and site licenses are available.

To receive permission to reprint a portion of this journal, contact Customer Service at 609-815-8145.

Contents © 2009 Memorial Business Journal

Stay in contact with Memorial Business Journal by becoming a fan on Facebook.

Follow us on Twitter at MemorialBizJour

# Memorial Business Journal

The weekly resource for progressive funeral directors, cemeterians and cremationists

**Act Now to Save \$50 • Offer Expires Dec. 31, 2009**

- Yes, sign me up for 52 weeks of Memorial Business Journal  
at the special *Pre-launch Introductory Rate* of \$149 (regularly \$199).

Make checks payable to Memorial Business Journal

*(Please Print Clearly)*

Email Address \_\_\_\_\_

Name \_\_\_\_\_

Company \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Web Site Address \_\_\_\_\_

Please let us know a little bit about you:

My position at my company is \_\_\_\_\_

I would be interested in reading about \_\_\_\_\_

I have an account with

Facebook

LinkedIn

My Space

Twitter

*(Your signature)* \_\_\_\_\_

Please mail this form with your check to:

Memorial Business Journal  
P.O. Box 8066  
Trenton, NJ 08650

If you wish to order by credit card, visit [www.memorialbusinessjournal.com](http://www.memorialbusinessjournal.com)  
Questions? Call customer service at 609-815-8145