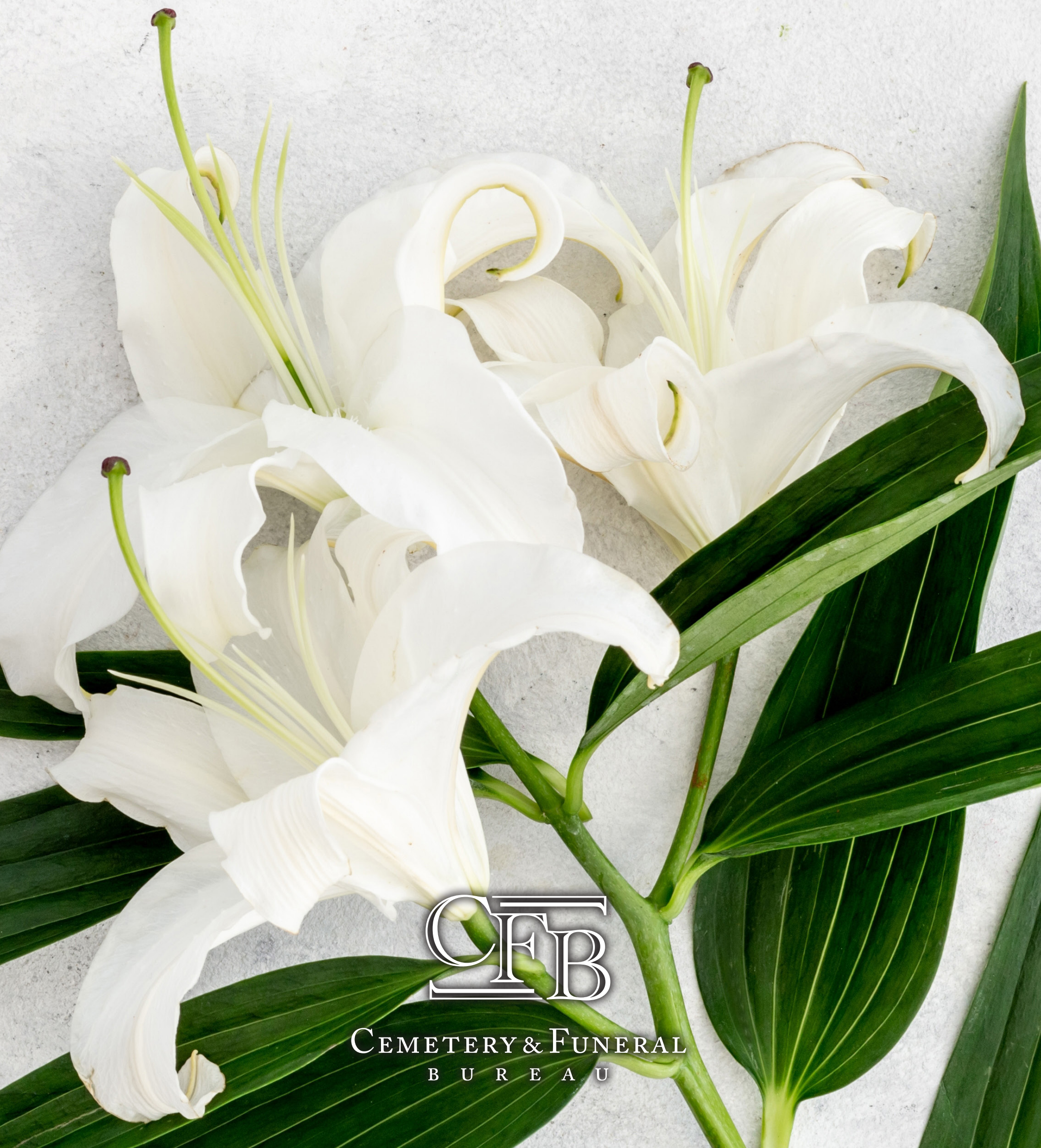
CONSUMER GUIDE TO FUNERAL & CEMETERY PURCHASES



CFB

CEMETERY & FUNERAL BUREAU

INTRODUCTION

This consumer guide by the Cemetery and Funeral Bureau covers:

- Who has control over your, or your loved ones, body
- Options for a final resting place (called disposition)
- What to expect during the funeral and cemetery process
- The importance of preparing ahead and sharing your final wishes with your loved ones

For many people, planning a funeral, arranging for burial, or purchasing other cemetery services is emotionally challenging and a financially significant decision. This guide covers your rights, options, and costs. It will help you make informed choices during a difficult time. This guide can also help you if you're planning in advance.

You'll find clear, practical information about what to expect and what questions to ask. We will cover the benefits of making these decisions in advance, writing them down in a will or other written document, and sharing them with your loved ones.

We hope this guide helps you honor your loved ones in a way that reflects your values, respects your budget, and brings peace of mind.

For more information, visit **cfb.ca.gov** or contact us at **emailcfb@dca.ca.gov**.

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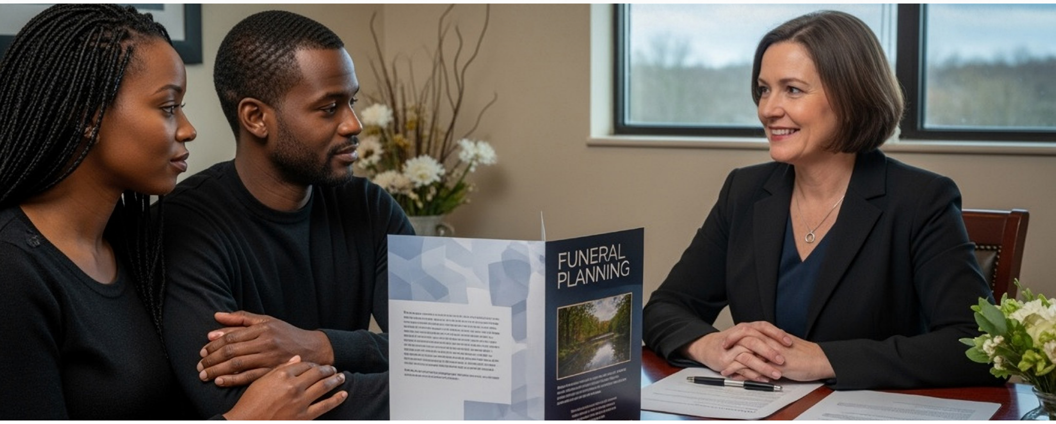


DOCUMENTING YOUR FINAL WISHES

Documenting your final wishes is important. It can spare your loved ones from having to make difficult decisions while grieving. You can decide in writing what happens to your remains and what funeral goods and services you want. These directions cannot be changed by others, except as required by law.

The law protects a person's choices after death, as long as:

- The written directions are clear and complete, and
- Arrangements for final services are fully funded.

You have the right to choose a person to make decisions about your funeral and final resting place. You may want to include instructions in your will or another written document. Be sure to give copies of your instructions to family members and loved ones. Keep your copy in a place that is easy to find. If you have a preneed agreement, get a copy of all the paperwork from the funeral establishment (also known as a funeral home or mortuary).

If you don't document your wishes, control goes to the next person with right to make decisions.

The law governs issues such as:

- How much time family members have to act
- What happens if all the people with the right to decide can't be found or can't agree on what to do
- Who pays the costs

WHO DECIDES WHAT HAPPENS TO OUR BODIES AFTER WE DIE

California law states who can make decisions for the disposition of the body after a person's death. They are, in order:

- A person, before their death
- The person authorized on a U.S. Department of Defense Record of Emergency Data (**DD Form 93**)
- An agent under a California power of attorney for health care
- A surviving competent spouse or registered domestic partner
- A surviving competent adult child or majority of surviving competent adult children
- The surviving competent parent or parents
- A surviving competent adult sibling or majority of the surviving competent adult siblings
- A surviving competent adult or majority of adults in the next degree of kinship
- A conservator of the person who has died when that person has enough assets
- A conservator of the estate of the person who has died when that person has enough assets
- The public administrator when the person who has died has enough assets

DECIDING THE DISPOSITION

If you are making the decisions, you then must decide on the final resting place. This is called final disposition. A permit must be filed with the local registrar before disposition can take place. This is usually filed by the funeral establishment.

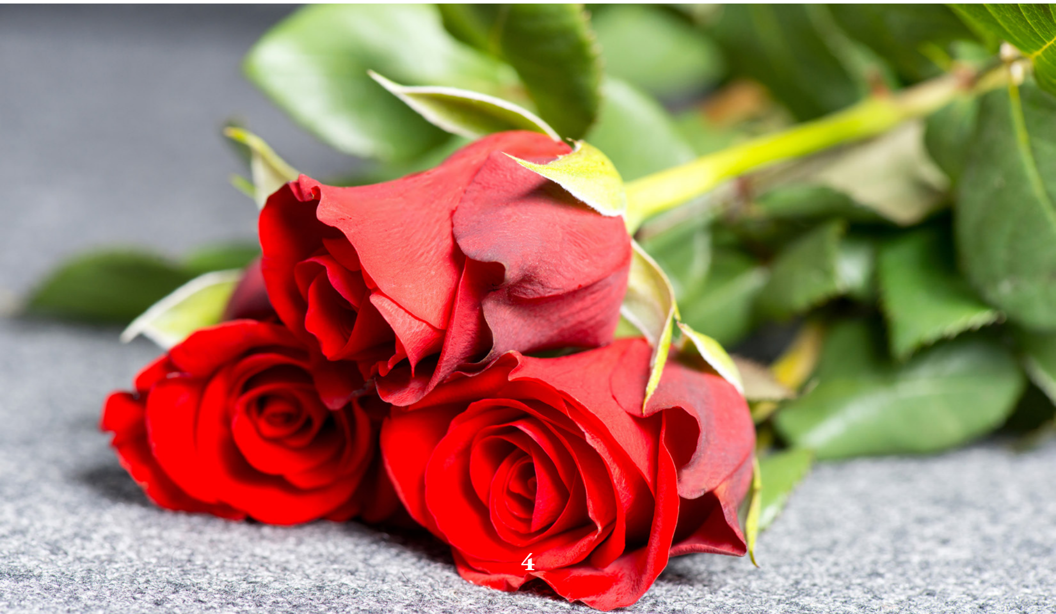
In some cases, you or your loved one may need coroner services. If you use a funeral establishment, they can coordinate transportation.

EMBALMING

It is your choice whether to have yourself or your loved one embalmed. The law does not require embalming. In some situations, a coroner may require embalming. When shipping a body out of state, embalming may be required by the receiving state or country.

If you choose not to embalm, the funeral establishment must refrigerate the body if held for over 24 hours.

Each body decomposes at its own rate, even if embalmed or refrigerated. Your loved one may look different by the time of the viewing or funeral.



BURIAL AND INTERMENT

If you choose burial, you will need to buy a cemetery plot. Prices vary between cemeteries, and among locations within the same cemetery.

For burial, you don't always need outer burial containers. Cemeteries may require them to keep the ground from settling after burial. They can be called vaults or grave liners. Vaults surround the casket in concrete or other material. Grave liners cover only the top and sides. Neither container prevents the eventual decomposition of human remains.

For interment into a mausoleum, you will need to buy a crypt or a niche for placement of an urn.

There is a fee for opening and closing a grave, niche, or crypt. You may also need to pay a one-time endowment care fee. This is for ongoing cemetery maintenance and grounds keeping.

Licensed cemeteries must give you a written copy of their maintenance standards if you ask for it.

Veterans and their spouse may be eligible for a cemetery plot in a veterans national cemetery. Visit the California Department of Veterans Affairs at **https://www.calvet.ca.gov/VetServices/Pages/Burial-Benefits.aspx** and the U.S. Department of Veterans Affairs at **va.gov/burials-memorials** to learn about burial benefits.

MULTIPLE-DEPTH GRAVES

If the cemetery allows it, you can be buried in the same grave as your spouse or other family member. People who are not related can be buried in a multiple-depth grave if all parties authorize it in advance. Burial in a multiple-depth grave may limit disinterment rights. There may be special fees for opening and closing a multiple-depth grave.

NATURAL BURIAL

Natural burial is a type of burial with less impact on the environment. It is also known as green or eco-friendly burial. It is often done without a casket or burial container. The body is usually not embalmed. It may be encased in biodegradable materials for burial. Talk to cemetery staff to find out if they offer natural burial.

BURIAL AT SEA

The U.S. Environmental Protection Agency (EPA) regulates human body burial at sea. The U.S. Coast Guard also performs burials for eligible military personnel, their families, and dependents. Visit their website for more information **https://www.epa.gov/marine-protection-permitting/burial-sea**.

CREMATION, HYDROLYSIS, OR REDUCTION

If you do not choose to have a traditional burial, you have three other options:

- Cremation (reduction by fire)
- Hydrolysis (reduction by water)
- Natural organic reduction (reduction by soil)

These services do not need a casket, but they do require a container. You can buy a container from any vendor if it meets the facility's standards.

Remove all valuables, like jewelry or mementos, before they move your loved one to the facility. The facility may remove prostheses, medical devices, and implants before the process.

If you want to view the cremation, you will have to inquire if the crematory allows viewing of the cremation process. However, all hydrolysis facilities will allow the next of kin and family to view the hydrolysis process.

These options allow you to choose a resting place outside of a traditional cemetery. This may include bringing an urn home, scattering at sea, or integrating reduced remains into the soil of an approved forest location.

Be sure to review your local laws before scattering or integrating human remains. Regulations vary by city and county.

PRICING

Once you are ready to sign a contract, the funeral establishment must give you an itemized statement.

The statement must list:

- All goods and services agreed upon
- Estimates for costs that are unknown at the time
- Charges for outside vendor services like:
  - » Flowers
  - » Clergy
  - » Newspaper notices
  - » Music

Check that all items you chose are on the statement. A funeral package must list all the goods and services included. ***Check that you have the total cost in writing before you sign a contract.***

Funeral establishments can set a fee for professional or basic services. This fee can be separate from the goods and services you select. It can be for a funeral director's time spent:

- Planning the funeral
- Coordinating with a cemetery, crematory, hydrolysis facility, or other funeral establishment
- Getting death certificates and other required permits
- Submitting the obituary
- Business expenses like overhead, taxes, insurance, and advertising

Cemeteries and funeral establishments cannot:

- Charge a handling fee if you choose a family-built casket or a casket purchased elsewhere
- Claim caskets will preserve you or your loved one
- Charge contagious disease fees or fees for protective clothing for staff

CORONER FEES

Coroners can charge for certain services. Fees vary by county. Contact the coroner in the county where your loved one passed away to obtain information about applicable fees.

RETAIL CASKET SELLERS

When you discuss prices, a retail casket seller must give you specific information including a price list for all their:

- Caskets
- Alternative containers
- Outer burial containers

Caskets for sale must have a tag attached in clear view. The tag must include the price, thickness, type of wood or material, interior, and color. If you ask, they must also give you this information over the phone.

The seller must give you an itemized statement of all costs before completing the sale.

Retail casket sellers cannot offer services requiring a funeral establishment license. This includes arranging funerals or cremations.

We do not license or regulate retail casket sellers. They are governed by state and local business laws and regulations.

BUYING ITEMS ELSEWHERE

A cemetery can require outer burial containers to reduce ground settling. If they do, you may have to buy a grave liner or vault. You do not have to buy it from the cemetery. Your outer burial container must meet the cemetery's size, shape, and material standards. Outer burial container prices can be on the general price list or a separate list.

If you buy a casket or another container from outside the funeral establishment or cemetery:

- They cannot charge a casket handling fee
- It must meet the cemetery's or crematory's standards
- It must accommodate your loved one's body

If you buy a marker or monument from someone else, it must meet the cemetery's standards. The cemetery cannot charge:

- A setting fee if the monument company sets it for you
- More for foundations, setting, or permitting than if you bought the marker or monument from them

Review the rules and policies of the cemetery before you buy. This can avoid misunderstandings and help you make decisions.

GENERAL PRICE LIST REQUIREMENTS

Funeral establishments must give you a general price list (GPL) and a casket price list (CPL). A GPL is a list of all goods and services they sell, including a description (if applicable) and an effective date. A CPL includes prices for all caskets they sell. The Bureau recommends comparing price lists from multiple funeral establishments in your area.

The funeral establishment can give you the GPL in person or if requested by phone. If they have a website, they can either:

- Post the GPL on their website
- List all their goods and services and give you a GPL when you request one

The Federal Trade Commission's Complying with the Funeral Rule booklet has a GPL sample on www.ftc.gov/node/60348.

A GPL must include the price of the following services, if offered.

TRANSPORTATION

This is the cost for picking up the body and can include a flat fee for weekdays, nights, weekends, and holidays in a specific area. There may be mileage charges for transportation outside the area.

EMBALMING

The GPL must include the following statement: "Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements, such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial."

PREPARATION OF THE BODY

This can include costs for:

- Dressing
- Makeup
- Casketing
- Hair care
- Post¬-autopsy care
- Refrigeration
- Reconstruction or restorative arts

FACILITIES, EQUIPMENT, AND STAFF

This can include costs for:

- Viewing
- Funeral ceremony
- Memorial service
- Graveside service
- Hearse
- Limousine
- Storage

DIRECT CREMATION

This can include costs for:

- Funeral director and staff
- A proportionate share of overhead
- Removal of remains
- Necessary authorizations
- Cremation
  - » Ask if the cremation price includes the cost of the cremation itself and the cost of storing your loved one

IMMEDIATE BURIAL

This can include costs for:

- Funeral director and staff
- A proportionate share of overhead costs
- Removal of remains
- Local transportation to cemetery

TRANSFERRING TO ANOTHER FUNERAL ESTABLISHMENT

This can include costs for:

- Embalming (depending on distance and time)
- Removal of remains
- Staff
- Necessary authorizations
- Local transportation (there may be mileage charges for transportation outside the area)

They cannot refuse to or delay the release of your loved one to another funeral establishment due to outstanding payment.

CASKETS

They must include the price range for:

- Adult caskets
- Infant or child caskets
- Rental caskets
- Alternative containers

HOME DEATH CARE

You do not have to use a funeral establishment to prepare your loved one for their final resting place.

If you choose home death care, you must:

- File a death certificate with the local registrar of births and deaths
  - » The attending physician or coroner must sign the certificate
- Get a permit for disposition from the local registrar of births and deaths
- Get a casket or other suitable container
- Make arrangements with the cemetery, crematory, hydrolysis, or reduction facility

If you choose home death care, you are not required to embalm or refrigerate your loved one. Be aware the rate of decomposition can vary from person to person. Be prepared to care for your loved one.

DECIDING IN ADVANCE

Planning in advance will help you and your loved ones during a difficult and vulnerable time. Take time now to discuss your plans and decide what you and your loved ones want.

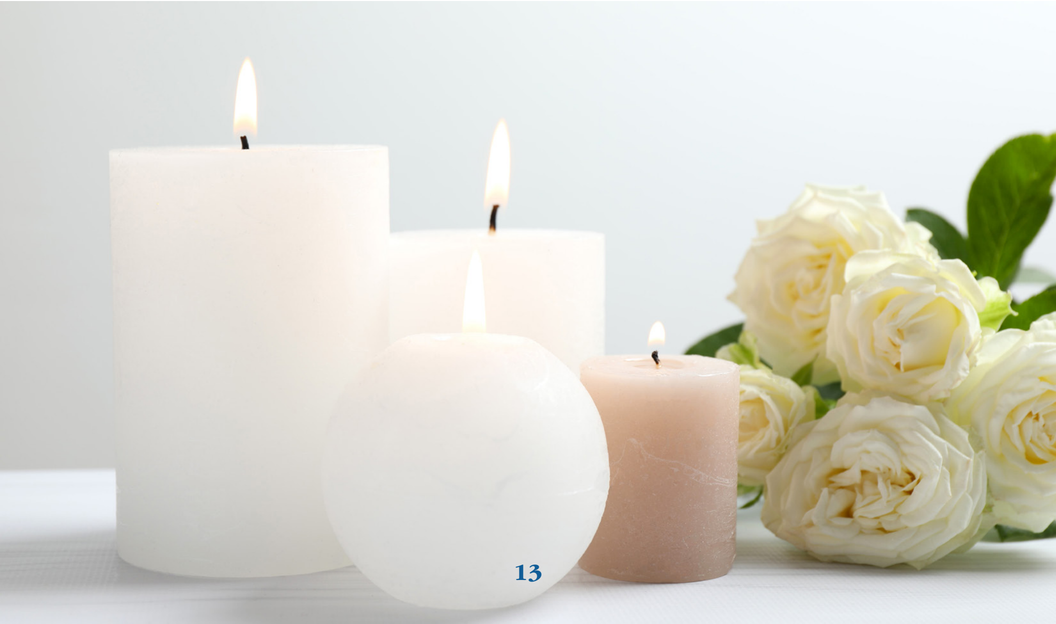
- Your plans should be in writing.
  - » Make the location known and easily accessible when the time comes.
  - » Give copies to your attorney, a loved one and someone you trust.
  - » Don't keep your only copy in a safe-deposit box. Your family may have to make funeral arrangements on a weekend or holiday when the bank is closed.
- Include any plans for organ, tissue, or body donation.
- You may want to talk to an attorney about the best way to ensure your wishes are followed.

CHOOSING A FUNERAL ESTABLISHMENT OR CEMETERY

You can make arrangements in advance with a licensed funeral establishment or cemetery. This will help you make informed decisions and may save you money.

Before signing a contract:

- Decide how much you want to spend
- Shop around for the funeral goods and services you want
- Compare prices at cemeteries and ask about their maintenance standards
- Take a tour of the cemetery or funeral establishment
- Verify the license status
  - » Online www.cfb.ca.gov
  - » Email emailcfb@dca.ca.gov
  - » Phone (916) 574-7870



PRENEED AND PAYMENT OPTIONS

You may want to consider paying for your funeral arrangements in advance. This will help your family and secure your wishes. This is called a preneed agreement or contract. The GPL or contract must include the below statement:

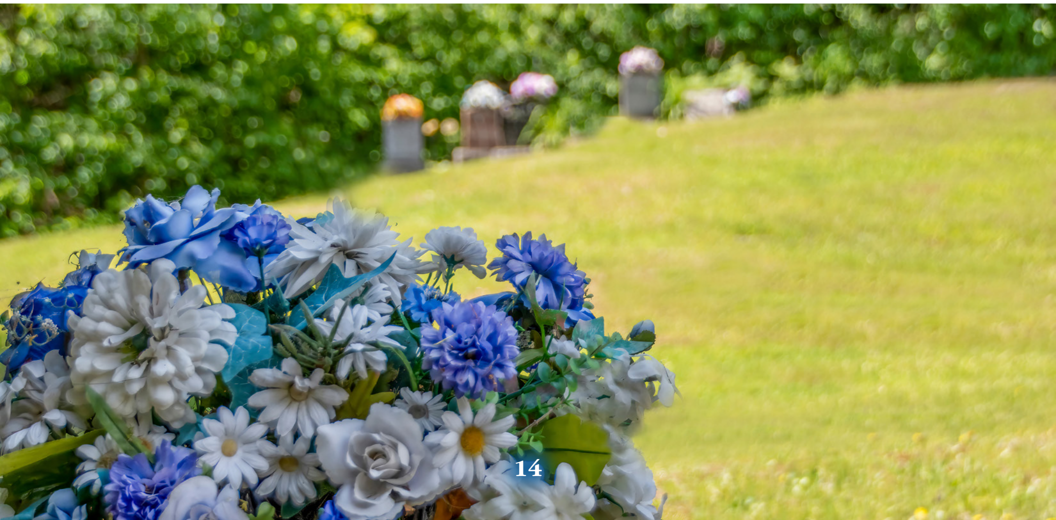
"Prior to drafting any contract for goods or services, the responsible party or the decedent's survivor who is handling the funeral arrangements is entitled to receive a copy of any preneed agreement in the possession of the funeral establishment that has been signed and paid for, in full or in part, by or on behalf of the decedent."

This means the person making the arrangements will get a copy of the preneed agreement at the start of the discussion at the time of need.

Be sure to inform your next of kin or someone you trust of any arrangements made in advance.

If you decide to prepay, you have several options. These options are not recommendations. Carefully compare the advantages and disadvantages of each before signing a contract. Consider consulting an attorney, someone you trust, and Medicare or Medicaid, if applicable.

It's a good idea to review your plan and contracts every few years. Your situation may have changed, businesses may close or change ownership, or you may have moved away.



SAVINGS ACCOUNT

Make sure your next of kin or someone you trust can access the account upon your death.

Payable on death (POD) account

This is where you identify a person or a funeral establishment as the beneficiary at the bank. If you choose a funeral establishment, they are not required to pay any excess funds to your survivors.

A POD account can:

- Earn taxable interest
- Charge service fees
- Be cancelled without penalty

LIFE INSURANCE

You may purchase a life insurance policy to help cover funeral expenses. Your next of kin or loved ones will be responsible for any costs that exceed the policy's coverage.

FUNERAL OR DEATH INSURANCE

You can buy this policy through a funeral establishment, who is the beneficiary. Have them show you in writing how much the policy will be worth in one year, five years, and ten years. This will help you figure out if you will pay more over time than the policy will pay on your death. The funeral establishment may keep any funds that remain after all services have been completed.

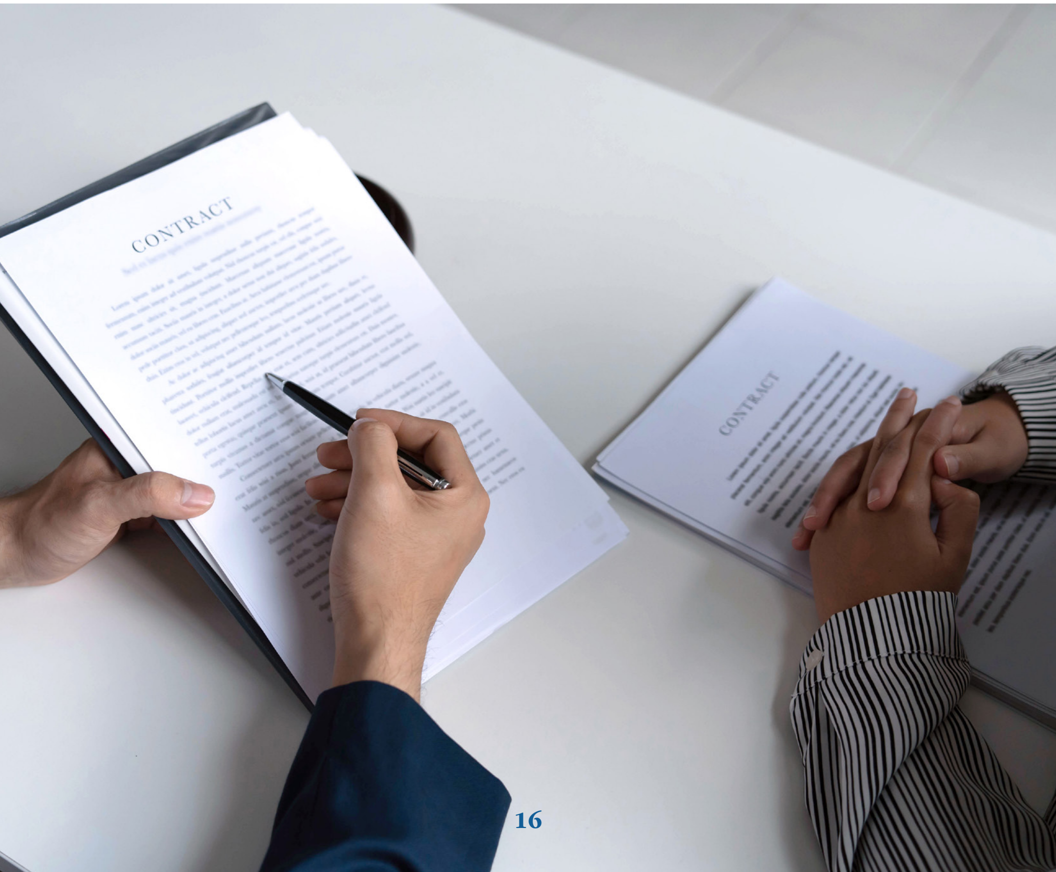
The contract should state which costs are guaranteed. This means your loved ones cannot be charged more, even if prices rise. Review the cancellation and failure-to-make-payments policies.

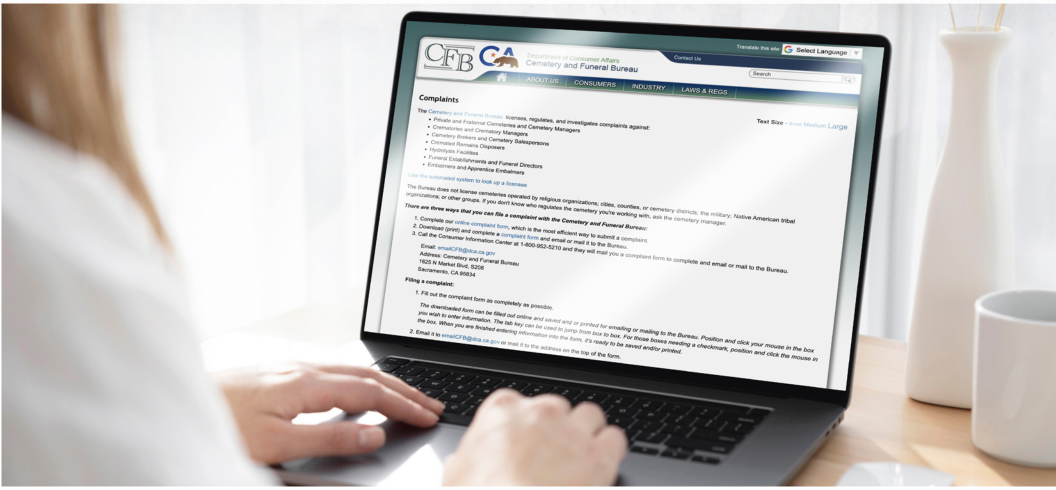
PRENEED TRUST CONTRACTS

You can sign a contract with a funeral establishment for funeral goods and services. You deposit money into their trust fund and they hold until the time of service. The funeral establishment is not required to pay any excess funds to your survivors.

Review the policies for what happens if you cancel or fail to make payments. Cancellations get a refund, including the interest earned. The funeral establishment can keep up to 10% of the original contract. This fee can only come out of the interest earned.

Keep your address up to date with the funeral establishment so they can contact you.





HOW TO FILE A COMPLAINT

If you have a complaint:

1. Try to settle it with management first.
2. If you can't resolve the issue, file a complaint at https://www.cfb.ca.gov/consumer/complaints.shtml
3. The Cemetery and Funeral Bureau regulates:
   - Funeral establishments
   - Crematories
   - Hydrolysis facilities
   - Privately owned cemeteries
   - Licensed employees in the industry

Exceptions:

- For cemeteries that are not licensed by the state, contact the managing organization. These include religious cemeteries, public district cemeteries; Native American burial grounds, VA national cemeteries.
- For retail casket sellers, contact your local district attorney.

We thoroughly investigate complaints. We will take disciplinary action if warranted. You may also choose to pursue the matter in small claims court or with an attorney.

TERMS TO KNOW

Cemetery property—A specific plot, grave, crypt, or niche purchased by a consumer in a cemetery.

Cemetery services—Services the cemetery provides, like opening and closing graves, crypts, or niches; setting grave liners and vaults; setting markers; and long-term maintenance of cemetery grounds and facilities.

Cemetery maintenance standards—The minimum standards that prevent the offensive deterioration of a licensed cemetery.

Columbarium—A structure with niches (small spaces) for cremated or hydrolyzed human remains in urns or other approved containers. It may be outdoors or part of a mausoleum.

Cremation—Reducing human remains with fire. The remaining bone fragments are processed to a uniform size and consistency.

Disposition—The final resting place of human remains.

Endowment care trust fund (ECF)— Money collected from a portion of the sale of cemetery property. The money in trust is conservatively invested to fund the long-term care of the cemetery.

Funeral services— Services provided by the funeral establishment, like: funeral planning; transportation, shelter, refrigeration, and embalming of remains; getting authorizations and permits; and coordinating with the cemetery, crematory, or other third parties.

Funeral consumer organization—A nonprofit organization that provides information about funerals. It may also be called a funeral consumer alliance or memorial society.

Honoraria—Payments to clergy for presiding over burials.

Hydrolysis or alkaline hydrolysis—Reducing remains with a water solution in a hydrolysis chamber. The resulting bone fragments are processed to a uniform size and consistency.

Hydrolysis container—A water-soluble body wrapping for the body of a deceased person for placement in a hydrolysis chamber. The wrapping must consist of 100% protein-based material, like silk, suede, leather, feather, fur, or wool.

Hydrolysate—The resulting liquid from the hydrolysis process. It is a sterile, benign, micronutrient-rich solution made of sugars, salts, peptides, and amino acids.

Interment—Burial in the ground, in a mausoleum, or in a niche.

Inurnment—The placing of cremated or hydrolyzed human remains in an urn.

Mausoleum—A building in which human remains are entombed.

Natural organic reduction—Accelerated natural decomposition by placing the body into a vessel with organic materials.

Niche—A small space in a columbarium, mausoleum, or wall to hold an urn.

Private cemetery—A licensed cemetery regulated by the Cemetery and Funeral Bureau.

Public administrator—The governing body that manages the burial of someone who has died with no known next-of-kin or where the deceased is indigent.

Scattering urn—A closed container for cremated remains that will dissolve and release its contents within four hours of being placed at sea.

Urn—A container to hold cremated or hydrolyzed human remains. It can be placed in a columbarium or mausoleum or be buried in the ground.

MORE RESOURCES

There are organizations that may be able to give you more information. The Bureau provides this information as a courtesy and is not an endorsement or recommendation.

CONSUMER ADVOCACY GROUPS

Funeral Consumers Alliance of California
P.O. Box 6788
Eureka, CA 95502
(209) 427-6086 (650) 325-2000
fcacalif@gmail.com
www.fca-calif.org

Funeral Consumers Alliance, Inc.
33 Patchen Road
South Burlington, VT 05403
(802) 865-8300
fca@funerals.org
www.funerals.org

GOVERNMENT ORGANIZATIONS

Federal Trade Commission Local Office of Consumer and Business Education
Washington, DC 20580
(877) 382-4357
www.ftc.gov

California Department of Public Health
Vital Records –
MS 5103 P.O. Box 997410
Sacramento, CA 95899-7410
(916) 445-2684
www.cdph.ca.gov

U.S. Department of Veterans Affairs
National Cemetery Administration
(800) 827-1000
www.cem.va.gov

Local District Attorney or Consumer Affairs Office
(See “Government” section of your local phone book or search internet listings.)

TISSUE, ORGAN, AND BODY DONATION

Donate Life California
3940 Industrial Blvd. West
Sacramento, CA 95691
(866) 797-2366
www.donatelifecalifornia.org
(English)
http://www.donevidacalifornia.org (Spanish)

Anatomical Donation Program/ University of California
https://www.ucop.edu/uc-health/departments/anatomical-donation-program.html

CALIFORNIA COLLEGES OF MORTUARY SCIENCE

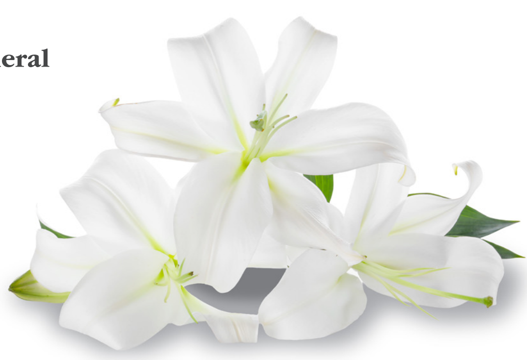
Cypress College Mortuary Science Department
9200 Valley View Street
Cypress, CA 90630-5897
(714) 484-7270
www.cypresscollege.edu

American River College Funeral Service Education Program
4700 College Oak Drive
Sacramento, CA 95841
(916) 484-8432
www.arc.losrios.edu

CALIFORNIA INDUSTRY ASSOCIATIONS

Cemetery and Mortuary Association of California
925 L Street, Suite 260
Sacramento, CA 95814
(916) 441-4533
www.cmaccalifornia.org

California Funeral Directors Association
333 W. San Carlos Street Suite 600
San Jose, CA 95110
(408) 538-7440
www.cafda.org



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