

FUNERAL INDUSTRY SERVICES: A CONSUMER'S VIEW

By

James R. Porter

Bachelor of Science

Jackson State University

Jackson, Mississippi

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Report Approved:

Candice Teas

Report Adviser

Dorothy Lass

Margaret J. Weber

Norman N. Ducham

Dean of the Graduate College

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INTRODUCTION

Nature and Justification

The arrangement and purchase of a funeral is a saddening and unwelcome but inescapable duty and a purchase which is different in many aspects from most commercial transactions. This report deals with problems and abuses faced by consumers in their day-to-day dealings with funeral directors or representatives of the funeral industry. Due to the secretive nature and a lack of public interest in the funeral industry, little helpful information is readily available and at the command of the consumer. By not having this information readily available, the consumer is automatically placed at a disadvantage when purchasing these services. Many funeral directors have capitalized on the unsuspecting public by selling unnecessary goods and services to bereaved customers with little or no remorse.

To fully understand what consumer problems exist in the the funeral industry and how they affect consumers, it is necessary to examine the structure and practices within the funeral industry. This report will discuss practices in the contemporary funeral marketplace and the services offered to the consumer.

For over a century, the funeral industry has actively sought and obtained a monopoly on the funeral buying public. Practices by the National Funeral Directors Association and American Funeral Home Directors Association have harmed the consumer.

First, the National Funeral Directors Association and American

Funeral Home Directors Association have de-emphasized through public and private restrictions competitive marketing within the industry. Funeral directors generally do not provide price information over the telephone, do not encourage the pre-planning of funerals and do not make information on prices and services available to the public.

Second, the National Funeral Directors Association and American Funeral Home Directors Association have instilled a belief within the public that funeral directors are not merely merchants but bereavement counselors who assist the public in formulating their wishes in arranging for funerals. As a result of the emphasis by the National Funeral Directors Association and American Funeral Home Directors Association on the sale of the complete funeral, funeral prices have been frequently quoted as packaged arrangements. Embalming has become an automatic procedure and expensive caskets have been recommended for cremation. Memorial societies seeking to obtain alternative arrangements for their members and direct cremation firms offering simplified disposition services, have met with hostility and harassment.

Third, counseling by funeral directors is disguised salesmanship designed to persuade consumers to purchase additional and costly funeral merchandise and services. The presentation of funeral services as a package prevents consideration of the various components and their prices as options, so that charges may be incurred for items that are unnecessary, unwanted, or unused (Federal Trade Commission, 1978). In 1984, the Federal Trade Commission established the Funeral Rule. The Funeral Rule makes it easier for the consumers to select services they need and want to pay for. When inquiring about funeral arrangements, the funeral director must now provide a written price list of materials

and services available. When arranging funeral, consumers may purchase individual items or packages of goods and services. Prior to the purchase of a casket, the funeral provider must supply the consumer with a list which describes available selections and prices (Kolter, 1973).

Fourth, by utilizing their political muscle in Congress, the National Funeral Directors Association and American Funeral Home Directors Association have established a system where they control the curriculum at all licensed mortuary science schools within the United States. This system is the first step in presenting their views and business practices to students entering the field. While conducting an interview with Dr. G. Curl, Chairman, School of Mortuary Science, Central State University, Edmond, OK, it was revealed that each mortuary science student is required to successfully pass specific business courses dealing with the business operation of a mortuary. Dr. Curl indicated that no text books are utilized in these classes. Information on the proper business methods are passed down by word of mouth from professor to student. It was also learned in this interview that the National Funeral Directors Association and American Funeral Home Directors Association could withdraw their accreditation from the Central State University Mortuary Science Department for failure to follow explicit guidelines dictated by the association. In this case, the consumer is clearly the loser, having to do business with members of associations regulated by association members opens itself to deception by members with limited grounds for recourse by the consumer. If the National Funeral Directors Association and American Funeral Home Directors Association participate within the marketplace, they should and must establish business policies to govern and operate their business in a

manner which is beneficial to the funeral buying public.

Nature and Justification of the Problem

In order to understand consumer problems in the funeral industry, it is necessary to examine the structure of the industry. Consumer abuses and information deficiencies which are observed and are related to the funeral industry are directly related to the degree of competition that exists within the industry, attitudes of funeral directors, and how specific funeral services are accomplished.

How the Funeral Director Evolved

Early morticians functioned as cabinet makers or casket makers and practiced embalming. Over time, the role of orchestrator of procedures and details has been included in preparation of the dead, ceremonies, and final disposition of the remains. The role of undertaker/funeral director has never been viewed by society as a prestigious occupation. Society's treatment of the undertaker/funeral director has embedded them with a defensive attitude as to the value of their work and has created a strong push by funeral directors for social recognition of their profession by the public. In the nineteenth century, a greater occupational status led to the establishment of national trade associations, recognized trade schools, and instituted licensing procedures. Funeral directors learn their trade and develop attitudes and procedures from a variety of sources. Principle among these are mortuary schools which provide basic training in mortuary science and

prepare morticians for licensing. Trade associations, seminars, newsletters, trade journals, and promotional materials furnished by supplies of the funeral industry influence the mind set of the funeral directors. One interesting and yet disturbing fact is the term counselor which is freely used by funeral directors. Although counseling is included in the mortuary science curriculum, interviews and review of the literature indicate, the term counselor is actually a synonym for salesmanship as used by funeral directors to sell more expensive services and funeral merchandise (Schwartz, Jolson, & Lee, 1986). Until recently it has been believed by practicing funeral directors that large funeral corporations do not have a place in the American way of death especially in Oklahoma. In the past three years, seven large, well established, family oriented mortuaries have been sold to large corporations (Porter, 1988b).

Not only have large corporations purchased for themselves some of the most attractive mortuaries and cemetery properties in Oklahoma but also throughout the country. They continue to expand both their acquisition and their spectrum of services provided. The local funeral industry see the big corporations becoming bigger and the small family oriented business disappearing completely from the picture. Funeral directors who have enjoyed vast prestige in their communities for many years and who said they would never sell to large corporations have now been persuaded to join the parade of departed individualism. Many faced with escalating overhead cost find the offers made for the purchase of their businesses too good to refuse.

Armed with the philosophy money begets more money, we are going to see the continued strengthening of large corporations in the funeral

marketplace. While the opposition to corporate take-overs talk about how terrible all of this is for the funeral industry, no one person or organization including the Oklahoma Embalmer and Funeral Directors, has addressed this issue. All that is currently hoped for by remaining funeral directors is that somehow larger corporations currently covering the market will meet with reluctance from the public or come under strict regulation by the federal government.

The fact of the matter is that most of the acquisitions made by private and public corporate funeral groups have been well conceived and the mortuaries they have purchased have been doing quite well. I will attempt to present the consumer interest view of how this affects the purchase of a funeral by discussing the recent sale of a large Black family owned mortuary in Oklahoma City by private share holders to a large holding group in Dallas, TX.

In many cases where the funeral home has been a dominant business in the community and under individual family control, the sale of the business to persons or corporations outside the community creates a shock with the other funeral establishments in the community. The remaining businesses must expand their businesses to compensate for rising prices. Due to an unwritten law of no advertising, the remaining businesses must raise prices and sell more funeral accessories to the consumer who in turn will continue to pay higher and higher prices. When examining what has happened in the funeral industry, it is interesting to note that most takeovers are caused by lack of estate planning among funeral directors themselves. This has been a key to successful takeover by large corporations.

In Oklahoma City, Service Corporation International has opened a

facility for cremation and embalming services. They work on a contract basis for local funeral establishments. Service Corporation International can offer this service due to the small number of licensed practicing embalmers, few students entering mortuary school, and a high rate of burnout among licensed embalmers. Service Corporation International has mounted a very successful recruiting campaign at mortuary schools throughout the nation. By using the shortage of morticians as a weapon against small funeral homes, corporations are now offering attractive service contracts for embalming. Although they are cheaper for the local mortuary, they could develop a system where they could dictate the pricing structure of funeral services with no recourse for the local funeral home. If the local funeral homes were willing to pass along the savings realized by utilizing the embalming and cremation services, it would greatly benefit the consumer.

Trade Associations: How They Effect the Federal Industry

Trade associations' influence over funeral practices is very important in that the associations' main purpose is to promote the image of the funeral director, whose responsibilities include counseling families on services that meet their specific needs. Through interviews and reviewing trade publications, it has been determined that the overall competitive nature of the industry is very low. Mortuaries do compete to some extent regarding location, reputation, size, advertising, and appearance of facilities, but price competition has not occurred. Funeral directors de-emphasize the differences among funeral homes and seldom admit common facts that would allow comparison of services and prices.

The lack of price guidelines, price information, and active competition has caused consumers to pay higher than necessary prices for funerals. Information controlled by trade associations has further stacked the deck against the consumer (Brown, 1986).

The first step in the funeral arrangement process is selecting and contacting of the funeral home. In most cases this is done by the family. With a majority of deaths in this country now occurring in hospitals and nursing homes, employees of the institution often initiate the funeral process. The funeral director usually learns of a death upon notification by the family or an agent of the hospital or nursing home who acts on the family's behalf. After notification, the mortuary will typically remove the remains, cleanse the body, and begin the process of embalming, if authorized by the family. When it is convenient for the family, arrangements are made for the funeral with the funeral director. Arrangements for funerals are normally made at the funeral home. By holding the arrangement meeting in the funeral home, the funeral director takes the family out of comfortable and familiar surroundings and places them in his domain.

Two basic types of discussion are emphasized at the arrangements meeting: 1) the final disposition of the body and 2) what ceremonies will be held in conjunction with the final disposition. Decisions on the disposition and ceremonies will determine the way the family and mourners will observe the service but also the charges that will be incurred for the service.

Costs vary among funeral homes within the Oklahoma City metropolitan area. The cost of donating the remains to medical institutions for study and experimentation normally incur the cost of transportation. An

immediate cremation may cost from \$900-\$1600. Immediate ground burial may cost from \$1000-\$1500 depending on preparation. The traditional funeral with burial may cost \$2500-\$8000 for both funeral and burial expenses. Price differences are often not considered or perceived by the consumer, but with a practiced sales pitch by the funeral director, time pressures, and the absence of accurate comparative price information, the consumer is at the mercy of the funeral director. Funeral directors have been known to evaluate the financial situation of the family to determine what price range the family was willing and able to pay for services (Abdullah, 1987).

The most commonly selected arrangement continues to be the traditional funeral. The traditional funeral often includes transporting the remains, embalming, other preparations of the remains, casket, use of the funeral home, facilities for viewing, ceremony, use of automotive equipment, services of funeral director and other miscellaneous items. The National Funeral Home Directors Association project the price of a funeral will increase at a rate of between two and seven percent a year. Although most consumers are unaware of it, the casket is the only variable among the various packages offered since the funeral home provides the same facilities, equipment, and staff services for most traditional funerals.

PURPOSE OF RESEARCH

The purpose of this report is to inform the consumer of choices that are available within the funeral marketplace. Their choices are often prohibited by numerous factors in the marketing practices which are dictated by funeral directors. The industry's orientation of the family toward the traditional funeral by the funeral director further dilutes the chances that a meaningful alternate plan will be objectively presented. Information on prices and alternative arrangements will be difficult to obtain in a market dominated by absence of price competition. The objectives are 1) informing consumers what services are required by law and what services are necessary, 2) identifying marketing techniques utilized by funeral directors, and 3) discussing how recent legislation affects the purchase of a funeral.

REVIEW OF THE LITERATURE

After an extensive review of the funeral industry by the Federal Trade Commission in 1978, it was determined that strict rules would be needed to regulate the funeral industry. Several prominent members of Congress quickly seized this opportunity and introduced numerous bills, based on the Federal Trade Commission's findings of consumer problem areas within the funeral industry. In 1982, legislation consolidated and confirmed by Congress is now referred to as the Funeral Rule. The Funeral Rule protects the consumer by dictating that the funeral industry abide by strict rules as set forth in the Code of Federal Regulations Commercial Practices.

Content of the Funeral Rule

The Funeral Rule covers price disclosures, misrepresentation, required purchases of funeral goods or funeral services, services provided without price prior approval, retention of documents, comprehension of disclosures, state exemptions, and mandatory review of records. Through skillful lobbying by the National Funeral Home Directors Association and the American Funeral Home Directors Association, the Funeral Rule effective date was postponed and did not take affect until April 1984. It is scheduled to be reviewed after a four year period, April 1988.

The two year grace period granted to the funeral industry enabled the establishment of policies within the industry which were designed to counteract the Funeral Rule. To accomplish this, state and local

enforcement committees were organized and given broad powers to enforce self-imposed rules and regulations. Through a massive education and research program, the National Funeral Directors Association and American Funeral Directors Association were able to plan strategies to counteract the Funeral Rule. Since accreditation of most mortuary schools is directly linked to the National Funeral Home Directors Association, the educational process helps to naturalize the effects of the Funeral Rule by implementing the Funeral Rule into everyday operations of the funeral industry (Abdullah, 1987).

The Funeral Rule is considered a problem by the funeral home industry? For over one hundred years the industry was mysterious, secretive, self-governing, and a self-regulating industry. Very little information was available to the consumer and due to the shroud of secrecy very few consumers inquire about the needs and requirements of a funeral.

The Funeral Rule covers price disclosures, misrepresentations, required purchases of funeral goods of funeral services, services provided without prior approval, retention of documents, comprehension of disclosures, state exemptions, and mandatory review. The Funeral Rule mandated that the industry provide information and a detailed price list on all services provided. This stipulation eliminated the one cost funeral or packaged deal. Forced to itemize services the funeral industry was mandated by law to provide specific itemized cost to consumers. Laws regarding the disposition of remains are also included information to the consumer. With the enactment of the Funeral Rule, funeral directors have been forced to take a look at funeral industry services. The National Funeral Directors Association and The American

Funeral Directors Association made this issue the main topic at their annual conventions in 1982 and 1983. Although collusion can not be proven, actions taken were instrumental in bringing prices within a common range and eliminating competition. To implement this arrangement, local funeral directors organized price referral services (Brunett, 1987).

Although a telephone number is listed in the Oklahoma City telephone directory, one must visit a funeral home to receive a direct quote on the price of a funeral. After conferring with Mr. Embry, Oklahoma State Board of Embalmers and Funeral Directors Field Representative, revealed that a number of Oklahoma City mortuaries use a rotating system of referrals. The object of this system is to refer prospective customers to a predetermined establishment. By not quoting prices, they can refer customers among the participating mortuaries without cutting prices for services.

When purchasing a funeral, the consumer must now be provided a price list disclosing the cost for each of the specific funeral goods and services used in connection with the disposition of bodies, including at least the price of embalming, transportation of remains, the use of facilities, caskets, burial containers, immediate burials, or cremations. This information may be presented to the consumer by telephone or printed price list.

The Funeral Rule provides the consumer a means to check prices if they so desires. By furnishing a price list of all goods and services, the funeral home industry now must be at least be price competitive in the area of operation. Competition still does not exist within the industry as a whole and with the presence of the National Funeral Home

Directors Association and the American Funeral Home Directors Association it is unlikely in the future.

Services which are unwanted and not required by law continue to be a problem for the consumer. Although specific guidelines are set forth by the Funeral Rule and state law, the majority of the public has no idea what is required by law. In selling or offering the sell of funeral services, the funeral director must explain when embalming is required. Embalming is only required when transporting the remains across state boundaries, when the deceased died of a highly contagious disease, and when no refrigeration is available and the remains are not enturned within twenty-four hours.

In selling or offering to sell a casket, it is considered an unfair or deceptive act for the funeral director of a crematory to require that a casket of other than an unfinished wood be purchased for direct cremation (Congressional Record, 1987). An unfinished wooden box must be offered or an alternative container available if they desire direct cremation.

It is unlawful to bury remains only when it could be conceived a nuisance or a violation of health regulations. In short, one may bury remains in a cemetary and obey their rules and regulations or one may bury remains in their front yard. When purchasing a pre-arranged funeral, it may be paid for with one payment or can be paid over a specific number of months. One advantage of making funeral decisions in advance is that once the service is paid for, the price of the funeral choosen may not be increased regardless of the span between the time of pre-arrangement and time of service. The contract must stipulate if the pre-arrangement will cover all requirements and what percentage of the

cost the arranger will bear. When purchasing services, the funeral director must discuss all services available and explain their content to the purchaser, this includes graveside services and cremation (Porter, 1988a).

In April 1988, the Federal Trade Commission was scheduled to review the Funeral Rule. The Federal Trade Commission has contacted most of the national funeral industry trade associations and interested consumer groups to solicit their view on the rule and to request aggregate information on how the Funeral Rule has affected the industry and consumers. Topics to be discussed include increased competition, pricing, and lack of advertising.

To reduce or eliminate barriers to competition in the funeral industry, price information is to be made readily available to consumers enabling them to purchase goods and services as desired. It appears that the provisions of the Funeral Rule has enabled consumers to purchase funeral merchandise and services with knowledge of their costs. With pricing information readily available to the consumer, competition should increase within the funeral industry.

Research conducted by the National Funeral Home Directors Association clearly depicts that less than 20% of the people surveyed expressed no interest in the cost or services related to a funeral. This attitude is viewed by the National Funeral Home Directors Association and American Funeral Home Directors Association as an opportunity to maximize profits from a public which will not actively seek readily available information or conduct comparison shopping when purchasing a funeral. At this time, no data exist to substantiate what affect the Funeral Rule has had on the funeral buying public. The Federal Trade Commission will carefully

research this issue during the review of the Funeral Rule in April 1988.

It appears the funeral home industry has met the requirements of the Funeral Rule. Consumers have been given access to sufficient information to make informed decisions on what goods and services they may wish to purchase. Services not prescribed by law are identified. Misrepresentations are not used to influence consumer decisions on which funeral goods and services to purchase.

When funeral directors comply with the Funeral Rule, consumers are afforded access to the information they need to make informed purchases. Specific data concerning the Funeral Rule affect on pricing and competition within the funeral industry will be gathered and studied during the April 1988 hearings.

Since the Funeral Rule took affect April 1984, the Federal Trade Commission has not received a large number of complaints or objections to the Funeral Rule from industry members. To limit the number of complaints, the National Funeral Home Directors Association and American Funeral Home Directors Association lobbied state legislatures to establish state boards to enforce the Funeral Rule. In the State of Oklahoma, nine members were appointed to the State Board of Embalmers and Funeral Directors by the governor. The duty of the Board is to reduce, eliminate, and downplay problems which arise in the funeral industry in the State of Oklahoma. To ensure the Funeral Rule is adhered to by Oklahoma embalmers and funeral directors, a roving inspector conducts unannounced inspections and has authority to assess fines and in extreme cases, suspend operating licenses. One may look at the Board and see it as a friend of the consumer because the Funeral Rule was designed to

protect the consumer and the Board enforces the Funeral Rule within the State of Oklahoma. A closer look reveals that eight members of the nine member Board are embalmers or funeral directors and the roving inspectors are appointed by the Board. Under this set up, the consumer loses again. In the State of Oklahoma, the Boards main function is to keep the funeral industry out of the public eye by enforcing infractions with little or no publicity. Of the complaints received from funeral directors, many object to the regulations as being overly intrusive upon their ability to make business decisions. Others object to the need to seek prior approval for embalming. Some believe that it is inappropriate to give a customer a general price list upon beginning the discussion of the funeral arrangement. Some objected to the need to disclose their prices to competitors. Others object to the fact that third party sellers of funeral merchandise are not subject to requirements of the Funeral Rule. The Federal Trade Commission stresses that the number of complaints from the funeral industry has been relatively small. In response to the Funeral Rule, many funeral directors have commented that the Funeral Rule has benefited the industry.

Case Study of a Funeral

One aspect which must be discussed is the gripping emotional upset which accompanies the death of a loved one. Personnel in the funeral industry are required to receive psychological training in their mortuary education curriculum. This training allows the funeral director to detect emotional stress in dealings with the funeral buying public and places the consumer at a disadvantage when planning a funeral.

Not only is the consumer in the domain of the funeral director when making plans for disposition of a loved one but is often in a state of emotional distress and will not have at the mental stability to make a major purchase. In many cases, emotions can be escalated by limited time and the need of the immediate family to return to normal.

With a large number of deaths occurring in hospitals and nursing homes with limited facilities for storage of human remains, additional emotional pressure is placed on the family to make a hasty decision on funeral arrangements. Research clearly indicates that once remains enter a mortuary the final arrangements remain with the original mortuary. Being forced to make hasty decisions for funeral arrangements places the consumer at a disadvantage since it does not allow for competitive shopping in an industry which presents very little price information to the public. Another major problem faced by consumers who are forced into hasty funeral arrangements is the lack of comparison shopping. In most American communities, it is a widely accepted practice to bury the dead within forty-eight to ninety-six hour time period. This custom presents a problem to consumers in that it all but eliminates comparison shopping. In order for the consumer to make a wise purchase, the funeral industry must make a valid attempt to advertise its goods and services to a funeral buying public which has, through history, shown little interest to the business aspect of death. The elimination of comparison shopping and the void of effective informative advertising has increased the funeral directors influence on funeral buying despite the Funeral Rule and state laws requiring specific information which must be presented to the funeral buying public.

With escalation of funeral prices, information on the benefits of

prepaid funerals would greatly benefit the funeral buying public by presenting a method to examine and attempt to plan their funeral. The prepaid funeral costs may help the family financial burdens.

One aspect of the funeral industry is the concept of marketing the funeral to the general public. It is the main source of revenue and a most known study to the funeral business. While conducting an interview with Dr. George Curl, Chairman, School of Mortuary Science, Central State University, I was afforded the opportunity to visit the casket showroom. It was evident throughout the interview that the placement of the caskets is very important to the mortuary science students' instruction regarding marketing and business practices. Further research revealed that the casket is the major difference in the total cost of funeral packages. It is therefore very important for students to learn the marketing aspects of positioning caskets to maximize profits.

One important aspect of the funeral industry not fully understood or acknowledged by the funeral buying public is the degree of marketing techniques utilized against them in the purchase of a funeral. With review of the funeral rule schedule for 1988, it would be a wise course of action for the trade associations to implement a positive marketing approach to inform and educate the public on the necessary requirements and prices of their goods and services. Positive and informative marketing of the funeral industry by the funeral industry will eventually soften the blow of yet to come regulations which in all likelihood will be imposed by the Federal Trade Commission. An open approach to advertising will help to ease and calm the public's fears and uneasiness and allow the opportunity to compare prepaid funeral plans, comparison

shop for prepaid services, and avoid being trapped by decisions influenced by emotions and local customs.

CONCLUSIONS

The Funeral Rule has benefited consumers by making price information readily available and has greatly increased the ability of consumers to compare costs and options. It has made it possible for researchers, reporters, and consumer groups to compile information on prices within the funeral industry. It should also be noted that the increased competition that has resulted from price disclosures is insufficient to protect consumers from a small group of funeral homes with fraudulent and abusive practices which are persuasive in the funeral industry. The Funeral Rule's current definition is too narrow and does not include portions of the mortuary industry which sell only goods or only services, i.e., cemeteries, crematories and prepaid burial (Canadian American National Funeral Directors Convention, 1987). The movement toward consolidation of the funeral industry may eventually eliminate the need for it if it is expanded to cover infraction and enforced to the letter. In the present day funeral market, a stronger rule covering cemeteries, crematories, and prepaid burial is need to protect the consumers. The funeral rule must be revised this year to include all components of the mortuary industry which provide goods or services to the public.

When expanding the definition of the Funeral Rule, it may be necessary to change price list and disclosure requirements to reflect the nature of specific services. This issue could be solved by the Funeral Rule specifying a price list and disclosure format for all goods and services which are related to the funeral process. By enforcing the regulations on the funeral industry, it could encourage advertising and competition for business and help reduce instances where funeral

providers circumvent the Rule and influence consumers to purchase all of funeral goods and services from the same provider.

For the consumer to fully benefit from the Funeral Rule, it must be strictly enforced. When advertising for customers becomes the norm in the industry, full disclosure of prices for goods and services will allow the average consumer to make wise purchases. In researching the funeral industry, I was pleased to learn that the Oklahoma State Board of Embalmers and Funeral Directors were at the forefront in regulating the funeral industry within the State of Oklahoma. With a board of embalmers, funeral directors, and ordinary citizens who are appointed by the governor, the board has strictly monitored and enforced the rule to the letter. Even with strict enforcement of the regulation price competition is not to be found. Although the Funeral Rule has greatly benefited the consumer, much tighter enforcement of existing loopholes is still needed (Porter, 1988c). Ample time has passed since the Federal Trade Commission has made serious attempts to regulate the funeral industry. There is no excuse for any funeral director, who earns a living servicing the bereaved public, to disregard the responsibility by less than total compliance.

Ignorance is clearly demonstrated by some funeral directors who continue to claim that their business practices are entirely suitable to the community they serve. This rationale has no basis as a defense when standards are reviewed by internal control agencies and found to be other than required by law. The irony of this seems to be that those who benefits, primarily financially, from those who have engaged in the concept of the Funeral Rule, are those who have been willing to play the game according to federal and state mandated rules and have made the

Funeral Rule work in their favor. The merits of the Funeral Rule specific procedures and statements required, no longer are debated by participants in the funeral industry. Enough time has elapsed for any and all persons providing funeral service to become aware of requirements and to establish a sincere effort toward compliance. The Federal Trade Commission and the Oklahoma State Board of Embalmers and Funeral Directors staffs are primarily eager to help any establishment willing to seek their advise into compliance. Even though it is within the authority of the agencies to impose fines and penalties, representatives have clearly demonstrated a willingness to be of services and since the laws were adopted and compliance declared. The professional trade associations as well as the public media have kept the subject of consumer problems with the enforcement agencies. There should be no excuse for misunderstanding any aspect of the Funeral Rule at this point and time. Consumers must be informed to take actions when they feel unsure of compliance with any portion of the funeral rule. If this practice was strictly followed, the penalty structure for noncompliance would cause the closure of many funeral services. Since the principle concept of the Federal Trade Commission and Oklahoma State Board of Embalmers and Funeral Directors is intended to alert the funeral buying public to their options, pay for what is received and not pay for what is declined, I can only wonder why resistance and noncompliance would continue.

One issue which must be addressed is how to inform the funeral buying public of the contents of the funeral rule. The funeral rule has been law since 1984 but the majority of the American public are unaware of its existence and have no idea of its contents. Methods which could be

utilized to educate the public include public service announcements, extension education courses, and financial counseling seminars. Our education system must include the subject of death to desensitize this most emotional time in life. Until death can be desensitized, treated, and successfully marketed like life insurance, the funeral buying public will be at a disadvantage. To correct misconceptions from all sides, the funeral industry must make a concerted effort to promote competition and strict adherence to established laws. The Federal Trade Commission must include cemeteries and crematories in the funeral rule while examining the effects of mergers and takeovers in the funeral industry, and the funeral buying public must overcome its fear of death and accept, examine and utilize information presented by the funeral industry, Federal Trade Commission, and public information providers.

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VITA

JAMES R. PORTER

Candidate for the Degree of
Master of Science

Report: FUNERAL INDUSTRY SERVICES: A CONSUMER'S VIEW

Major Field: Housing, Interior Design and Consumer
Studies

Biographical:

Personal Data: Born in Canton, Mississippi, 24
August 1955, the son of Murry and Maxine
Porter.

Education: Graduated from Canton High School,
Canton, Mississippi in May 1974; received
Bachelor of Science Degree in Business
Administration from Jackson State
University, Jackson, Mississippi; completed
requirements for the Master of Science
degree at Oklahoma State University in
December 1988.

Professional Experience: United States Army Officer
May 1978 to present.