



State of Connecticut  
**Attorney General George Jepsen**

## Quick Tips

### *Shopping for Funeral Services*

#### *Know your Rights*

Consumers can choose from a wide variety of goods and services when making funeral arrangements, but the uniqueness of the funeral industry poses many challenges to the consumer concerned about cost.

Federal Trade Commission rules require funeral homes to make several disclosures in order to protect consumers from unwanted purchases:

- When consumers call funeral homes to inquire about the goods and services offered, the staff must provide pricing information as requested and may not require callers to provide any personal information for the purpose of obtaining basic pricing information.
- When consumers inquire in person, the funeral home must provide a general price list describing the cost of each good and service available. If the funeral home maintains separate casket and burial vault price lists those also must also be provided to consumers.
- Consumers must be informed that embalming is not required by law in all circumstances and that direct cremation and immediate burial are options that often do not require embalming.
- The funeral home staff may not imply that embalming a body or sealing a casket will indefinitely preserve human remains or that a casket or vault is waterproof or water resistant.
- "Cash advance items" are those goods or services arranged by and provide through the funeral home by a third party (for example: limousine services, newspaper obituary, flowers and cards). While some funeral homes arrange these items for the consumer at no extra charge, some funeral homes add a service fee to the price of cash advance items. A funeral home must disclose in advance if it charges an additional fee for cash advance items or if it receives a refund, discount or rebate from the supplier of any such item.
- The consumer has a right to purchase only the goods and services desired. A written statement of the goods and services selected that includes an explanation of any items required by law must be provided.

#### *Consumer Checklist*

Use the following checklist to help ensure that you don't get stuck with unwanted costs at an emotional time.

If you can, bring someone with you who can give you emotional support and help you go through this checklist and review your options.

- The funeral home must provide the prices of the goods and services described in the general price list in response to a phone or email inquiry. A copy of the general price list must be provided when you inquire in person.
- In addition to the general price list copies of any separate price lists for caskets, vaults and cremation urns must be provided if you are considering purchasing any of those items.
- If you choose to take care of certain services yourself — such as placing death notices in the newspaper, arranging flower deliveries or contacting clergy — be aware that charges for those services may be included in the funeral home's mandatory fee. Ask the funeral director to explain the services included in the fee and insist that the fee be reduced if you make any of those arrangements yourself.



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- Embalming is sometimes included when it is not necessary. Ask the funeral director to explain exactly when embalming is required by law.
- Many services may be included in the funeral home's fee for other preparation of the body. Ask exactly what services are included in that fee. Insist that the fee be reduced if you do not want a particular service.
- Prepaid funeral agreements/contracts must be in writing and state whether the goods and services selected are price guaranteed. Note that most such agreements/contracts are not price guaranteed but are instead estimates of the expected cost based on current prices. Be sure that any contract you sign clearly specifies whether it is or is not price guaranteed and the responsibilities of the funeral home.
- Prepaid funeral funds must be placed in escrow accounts and fall into two categories: "irrevocable" or "revocable" accounts.
  - "Irrevocable" accounts are not considered assets when applying for many types of state and federal assistance, but may only be used for the funeral/burial of the beneficiary and for no other purpose. As such, any balance in an account may only be used to purchase additional funeral goods or services or be forfeited to the state. With an irrevocable account, you are not required to utilize the funeral home that established the prepaid/preneed funeral fund; you may utilize the funeral home of your choice.
  - "Revocable" accounts are considered regular assets of the account owner and may be liquidated at any time for any purpose.
  - Whether establishing an irrevocable or revocable account, be sure to obtain information as to the escrow agent, proof of the establishment of the account and contact information for the escrow agent. You should also receive annual reports as to the account balance, and ask the funeral director to describe the investment risk and rate of return for every option. Contact the escrow agents directly to inquire about their management policies regarding prepaid funeral funds.
- When planning for a future funeral be sure to obtain a written statement of the goods and services you have selected. This is an important list for comparing prices and holding the funeral home accountable.
- If you believe you may have been scammed, contact the Office of the Attorney General's Consumer Assistance Unit at 860-808-5420.