Funeral Arrangements
• You may name an agent for body disposition if you want someone other than your next-of-kin to be in charge or put your funeral wishes in writing and let the family know ahead of time.
• It is legal for a family or designated agent to handle everything without a funeral director. To find a home funeral guide, check: http://homefuneraldirectory.com/
• If you will be using a funeral home, prices must be given over the telephone. You must be given a General Price List (GPL) if you visit in person and before discussing any services. You must be shown a Casket and Outer Burial Container Price List before selecting either.
• You must be given a Statement of Funeral Goods and Services Selected with the total cost before any services are provided.
• The Funeral Consumers Alliance of Minnesota does periodic funeral price surveys: www.funerals.org
• Do not sign any contract for more than you can afford to pay. Cremation (or burial) can be paid by the county for the disposition of indigents. There is no other organization that assists with costs.

Autopsy
• If the death was unexpected or the cause of death uncertain, the state will probably require an autopsy.
• If you have questions about the death, you may request and pay for a private autopsy.
• If a viewing is planned, there will likely be extra charges to repair the body for embalming.

Organ, Body, and Tissue Donation
• If death occurs in the hospital, you are likely to be asked about organ donation. Only about 1% of the deaths are eligible for major organ donation. The organ procurement organization (OPO) will pay for any extra body preparation needed if you plan a viewing. Decline any such charge you might find on the GPL.
• After-death donation of eyes, skin, and bones may be considered. Ask the hospital social worker or the funeral director about this.
• Whole body donation to a medical school is one way to lower costs. After study, the school will cremate the body and return the cremated remains to the family if requested. You should have back-up funeral plans if your body cannot be accepted for any reason.
• There are also non-academic companies that accept whole bodies for research and education. Various body parts will likely be shipped around the country and possibly internationally. The state has no laws regulating these companies. Note that this is an entirely different category of body donation from the traditional cadaver donation to a medical school.
• To find the nearest body donation option, the cost if any, and the reasons for body rejection check: www.finalrights.org

Embalming and Other Requirements
• Embalming or refrigeration are required after 72 hours. Refrigeration is limited to six days; use of dry ice is limited to four days.
• Embalming can be ordered by the Commissioner of Health in the case of infectious disease, the worst possible circumstance for embalming.
• Embalming is required when shipping a body by public transportation.
• Families may not be allowed into a preparation room.
• Many funeral homes have a policy that requires embalming for a public viewing. Embalming does not protect the public health. It merely delays decomposition.

Caskets and Vaults
• Neither is required by state law for burial. A rigid combustible container is required for cremation.
• A casket will not prevent natural decomposition.
• You may build your own or purchase from a casket retailer. Vault dealers rarely sell to the public.
• The purpose of a vault is to keep the ground from caving in. It facilitates maintenance for the cemetery. It has no preservative qualities regardless of how much you spend.

Burial
• Any person and any religious corporation may establish a cemetery on their own land. The land must be surveyed and a plat recorded with the county recorder. Family graveyards are exempt from taxation. Check with the local zoning laws first. A good practice is 150 feet from a water supply and 25 feet from a power line with two or three feet of earth on top.
• If you purchase a lot in a commercial, town, or religious cemetery, you will have the opening and closing costs in addition to the cost of the plot.
• Some cemeteries have restrictions on the kind of monuments or plantings and adornment allowed.
• A disinterment permit may be obtained from the Health Commissioner or a licensed mortician. The casket may not be opened without a court order.

The Mortuary Science Section of the Minnesota Health Department licenses funeral directors, funeral homes, and crematories. Some coroners are funeral directors with a potential conflict of interest but fewer than in the past.

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Veterans and Their Dependents
• You will need a copy of the DD214 discharge papers for gaining benefits.
• The VA cemetery in Minneapolis has space for both casketed and cremated remains as does the state-run veterans cemetery in Little Falls. Interment and marker are free for the veteran, spouse, and certain dependants in the VA cemetery. Charges for non-veteran spouses and dependants runs from $250 to $750 in the state-run cemetery; vault charges are also extra there.
• The U.S. Department of Veterans Affairs (VA) provides markers for veterans no matter where they are interred. Markers can be upright or flat, and they come in bronze, marble, and granite: (800) 697-6947.
Prepaying the Funeral Home

### Pros

- **Pay on Death Savings Account or Bank CD**
  - You have total control of the funds.
  - Can easily change plans or use for emergencies.
  - Can make time payments easily.

- **Qualified Funeral Trust**
  - If irrevocable, it won’t be an asset for Medicaid.
  - The trust pays taxes on the interest.

- **Master or Simple Trust**
  - If irrevocable, it won’t be an asset for Medicaid.
  - You are supposed to receive an annual report of the interest earned which will serve as reassurance your funeral funds are safe.

- **Funeral or Life Insurance**
  - Easily portable.
  - If the funeral home is the beneficiary, it won’t be considered an asset for Medicaid eligibility.
  - The insurance company pays the taxes.

### Cons

- **Asset for Medicaid purposes.**
- **You must declare interest on tax return.**
- **Penalty to cash CD prior to death.**

- **If irrevocable, it won’t be an asset for Medicaid.**
- **There is no guarantee fund to protect against embezzlement.**
- **Taxes may be paid on interest that otherwise wouldn’t be taxed if you are low-income.**

- **No guarantee fund to protect against embezzlement.**
- **You will have to declare the interest on your tax return.**
- **Can be converted to insurance without your permission. (See below.)**

### Additional Information

- **Social Security Death Benefit**
  - There is a $255 death benefit for a surviving spouse. There is no similar benefit when that spouse dies.
  - Dependent children are entitled to survivor benefits when a parent dies.

- **Prepaid Cemetery Merchandise and Services**
  - Prices for third-party items such as the crematory fee or obituary cannot be guaranteed.
  - There are no protections or trusting requirements for prepaid cemetery merchandise and services.

- **Funeral or Life Insurance**
  - If the funeral home is the beneficiary, it won’t be considered an asset for Medicaid eligibility.
  - The insurance company pays the taxes.

- **If you need to cancel, you may not get back more than half you paid.**
- **If paying over time, you may pay twice the face value.**
- **There may be a 30-day delay in receiving funds for which the funeral home may charge an extra fee.**

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**Alert:** The Minnesota Funeral Directors Association regularly persuades lawmakers to draft bills that take away funeral consumer rights such as caring for your own dead and who may sell caskets. The FCA of MN could use volunteers to monitor legislation. Or you can follow the action at [www.funerals.org](http://www.funerals.org).

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**Funeral Ethics Organization**
87 Upper Access Rd.
Hinesburg, VT 05461
http://www.funeralethics.org

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