Funeral Arrangements
• You may name an agent for body disposition if you want someone other than your next-of-kin to be in charge. You will find the form in Vermont’s Advance Directives.
  http://vtethicnetwork.org/
• It is legal for a family or designated agent to handle everything without a funeral director. Check the Department of Health website:
• Or look for a home funeral guide:
  http://homefuneralsdirectory.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.
• Funeral Consumers Alliance of Vermont does a price survey every two years:
  www.funerals.org
• Do not sign any contract for more than you can afford to pay. The state will pay only $1,100 if the deceased was Medicaid-eligible with no other assets. There is no organization that assists with funeral 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 may be extra charges to repair the body.

Organ, Body, and Tissue Donation
• If death occurs in a hospital, you likely will 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 long bones may be considered. Ask the hospital social worker or the funeral director about this.
• While whole body donation to a medical school is one way to lower costs, the donor must be signed up ahead of time at UVM. UVM pays for transportation. After medical study, the school will pay for cremation and can 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 probably be shipped around the country and possibly internationally. This 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, check:
  www.finalrights.org

Embalmment and Other Requirements
• Embalming is not required by state law under any circumstance in Vermont.
• If the body is to be shipped out of state, airlines prefer to have the body embalmed, but a sealed container can usually make that optional.
• 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, Liners, and Vaults
• Neither is required by state law for burial. A rigid combustible container is required for cremation but not all.
• A casket will not prevent natural decomposion.

Cremation
• May you build your own or purchase from a 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
• You may be buried on your own land with the permission of the local health officer. A burial site must be 150 feet from a water supply and 25 feet from a power line. The casket should be five feet deep. It is a good practice to draw a map of the land showing where the family cemetery is and have it recorded with the deed.
• If you purchase a lot in a town or religious cemetery, you will also 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 permitted at the grave site.

The Vermont Board of Funeral Services has five members. Two are consumer representatives, and three are funeral directors or embalmers.

Benefits for Veterans and Their Dependents
• You will need a copy of the DDS14 discharge papers for gaining benefits.
• There is a veterans cemetery in Randolph, VT where interment and marker are free of charge for the veteran, spouse, and certain dependants. If the spouse is not a veteran, the opening/closing charge must be paid. A vault is required and is not included for either spouse or vet.
  http://veterans.vermont.gov/benefits/burial
• 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.
• The least expensive casket must be displayed. A casket will not prevent natural decomposion.
Prepaying for a Funeral

- If the contract guarantees the price, the interest is supposed to cover funeral inflation. But many investments do not appreciate as fast as the prices climb. You have a right to insist on no extra charges if it is clearly identified in the contract as “price guaranteed.” Any substitutions should be of equal quality to that described in the contract.
- Prices of third-party items such as the crematory fee or obituary usually cannot be guaranteed.
- Setting aside assets for Medicaid eligibility is the one time it makes sense to prepay for a funeral. There is a $10,000 limit on the amount you can set aside for a funeral under Medicaid guidelines.

## Prepaying the Funeral Home

<table>
<thead>
<tr>
<th>Pay on Death Savings Account or Bank CD</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>❖ You have total control of the funds.</td>
<td>❖ Asset for Medicaid purposes.</td>
</tr>
<tr>
<td></td>
<td>❖ Can easily change plans or use for emergencies.</td>
<td>❖ You must declare interest on tax return.</td>
</tr>
<tr>
<td></td>
<td>❖ Can make time payments easily.</td>
<td>❖ Penalty to cash CD prior to death.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Qualified Funeral Trust</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>❖ If irrevocable, it won’t be an asset for Medicaid.</td>
<td>❖ The funeral home may keep 5% if you move or cancel.</td>
</tr>
<tr>
<td></td>
<td>❖ The trust pays taxes on the interest.</td>
<td>❖ Taxes may be paid on interest that wouldn’t be taxed if you are low-income.</td>
</tr>
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<td></td>
<td>❖ There is a guarantee fund to protect against embezzlement.</td>
<td></td>
</tr>
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<tr>
<th>Master or Simple Trust</th>
<th>Pros</th>
<th>Cons</th>
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<td>❖ If irrevocable, it won’t be an asset for Medicaid.</td>
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</tr>
<tr>
<td></td>
<td>❖ You are supposed to receive an annual report of the interest earned which will serve as reassurance your funeral funds are safe.</td>
<td>❖ You will have to declare the interest on your tax return.</td>
</tr>
<tr>
<td></td>
<td>❖ There is a guarantee fund to protect against embezzlement.</td>
<td>❖ Can be converted to insurance without your permission. (See below.)</td>
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<table>
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<tr>
<th>Funeral or Life Insurance</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>❖ Easily portable.</td>
<td>❖ If you need to cancel, you may not get back more than half you paid.</td>
</tr>
<tr>
<td></td>
<td>❖ If the funeral home is the beneficiary, it won’t be considered an asset for Medicaid eligibility.</td>
<td>❖ If paying over time, you may pay twice the face value.</td>
</tr>
<tr>
<td></td>
<td>❖ The insurance company pays the taxes.</td>
<td>❖ There may be a 30-day delay in receiving funds for which the funeral home may charge an extra fee.</td>
</tr>
</tbody>
</table>

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.

Complaints

- Valid complaints include dishonesty, misrepresentation, unprofessional conduct, negligence, breach of contract, violation of state or federal laws. For how to file a complaint, see: www.funerals.org/your-legal-rights/complaint
- Board of Funeral Service
  Office of Professional Regulation
  National Life Bldg., North FL2
  Montpelier, VT 05620-3402
  802-828-2396
  http://vtprofessionals.org/opr1/funeral/

Much of the information for this brochure was taken from Final Rights: Reclaiming the American Way of Death (Upper Access, 2011) www.finalrights.org

Additional information can be found at www.funerals.org