

Funeral Arrangements

- Survivors must honor your Disposition Authorization if you have put your burial or cremation wishes in writing. The document must be witnessed.
- You may name an agent for body disposition if you want someone other than your next-of-kin to be in charge. It must be witnessed by someone other than that agent.
- 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.
- People's Memorial Association does a periodic price survey: <http://peoplesmemorial.org>
- **Do not sign any contract for more than you can afford to pay.** If the deceased was indigent, there may be county funds, but services will be limited. There is no other organization that assists with costs.

Cremation

- Some counties require a coroner's permit for cremation.
- A pacemaker or defibrillator must be removed.
- The crematory must note the container in which the body is cremated. The standard is a cardboard box called an alternative container.
- Some crematories will let the family witness the cremation if they desire.
- The cremation process takes about two-and-a-half hours for an average adult. The staff will remove any metal and pulverize the bone fragments to small particles, similar to white or gray coarse sand, about 5-10 pounds.
- Cremated remains may be kept at home, scattered or buried on private land with the land-owner's permission, interred in a cemetery or memorial garden, or placed in a mausoleum niche.

- In Washington State you may scatter cremated remains on any navigable waterway without a permit. If scattering on public land, don't ask, don't tell. Park service people are concerned that some may want to create a little shrine at the site and would prefer not to know your plans. Be discreet. The Environmental Protection Agency (EPA) says they must be scattered three miles out to sea. That's because the federal agency has no jurisdiction over the first three miles; the bordering state does. Most other states (except for California and South Dakota) have no restrictions on the disposition of cremated remains, and there are no "cremains police" even in those two states. Do as you wish.
- If flying with cremated remains, be sure they are in a non-metal container to pass through the scanner. It may be helpful to carry a cremation certificate, as well.
- Cremated remains may be sent only by U.S. Postal Service. Use Priority Mail Express with delivery confirmation. FedEx and UPS will not knowingly accept cremated remains.

Burial

- Burial must be in an "established" cemetery. In Washington State, you may not bury a body on private land without registering the parcel with the state as a cemetery and establishing a \$25,000 endowment fund for perpetual care.
- When you purchase a burial plot you are in fact merely purchasing a right to interment. The cemetery may place restrictions on the number of burials per lot, type of monument, require a vault or liner, as well as how and when you may adorn the grave.
- The opening and closing cost ranges from \$500 to \$2,000 in this state.
- Not all cemeteries have an endowment fund for perpetual care, and up-keep in the future may not be guaranteed.
- A permit for disinterment must be obtained from the local registrar.

Embalming and Other Requirements

- Funeral home licensees must embalm or refrigerate upon receipt of the body; they must obtain permission to embalm first.
- For home funerals, dry ice or an air conditioner can be used for refrigeration.
- Many funeral homes have a policy that requires embalming for a public viewing. Embalming does not protect the public health. It merely delays decomposition.
- You may have a private family viewing for up to one hour without embalming.
- Religious preparation of a body may be held for up to 24 hours without embalming.
- Airlines prefer to have a body embalmed, but a sealed container can usually make that optional.

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 or grave liner 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.

Autopsy

- If the death was unexpected or the cause of death uncertain, the coroner or medical examiner 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 or contact [Northwest Tissue Services](#) or [SightLife](#).
- Whole body donation to a medical school is one way to lower costs although the family may have to pay for transportation to either med school in this state. 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

Veterans and Their Dependents

- You will need a copy of the DD214 discharge papers for gaining benefits.
- There is a VA cemetery in Kent. Interment and marker are free of charge for the veteran, spouse, and certain dependents. There is a state-run veterans cemetery in Medical Lake. There is a fee of \$300 for a non-veteran spouse or dependent.
- 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.
- A free flag can be ordered through the U.S. Postal Service.
- A comprehensive list of veterans benefits can be found here: <http://www.funerals.org/faq/60-veterans-funeral-and-burial-benefits>

Your Funeral Consumer Rights in Washington State

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.
- Third-party items such as the crematory fee or obituary usually cannot be guaranteed.
- You may get a full refund within the first 30 days.
- Warehousing can avoid any trust requirements for cemetery merchandise, making a refund impossible. Some cremation providers also deliver merchandise early, giving you an urn and other material at inflated prices, reducing the amount in trust. This is often a problem if you move, with less than what you paid available for transfer.

- Setting aside assets for Medicaid eligibility is the one time it makes sense to prepay for a funeral. There is a limit of \$1,500 for funeral services; caskets, liners, and other cemetery expenses do not count. Be sure to ask if you will be getting an annual report of your prepaid funds and let those who will be handling your affairs know that you have prepaid and where.

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
- The Funeral and Cemetery Board: www.dol.wa.gov/business/funeralcemetery/fcboard.html
- The complaint form is here: <http://www.dol.wa.gov/business/funeralcemetery/fccomplaint.html>

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 may be found at www.funerals.org

Prepaying the Funeral Home

Pros

Cons

	Pros	Cons
Pay on Death Savings Account or Bank CD	<ul style="list-style-type: none"> ❖ You have total control of the funds. ❖ Can easily change plans or use for emergencies. ❖ Can make time payments easily. 	<ul style="list-style-type: none"> ❖ Asset for Medicaid purposes. ❖ You must declare interest on tax return. ❖ Penalty to cash CD prior to death.
Qualified Funeral Trust	<ul style="list-style-type: none"> ❖ If irrevocable, it won't be an asset for Medicaid. ❖ The trust pays taxes on the interest. 	<ul style="list-style-type: none"> ❖ The funeral home may keep 10% if you move or cancel. ❖ 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.
Master or Simple Trust	<ul style="list-style-type: none"> ❖ 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. 	<ul style="list-style-type: none"> ❖ The funeral home may keep 10% if you move or cancel. ❖ You will have to declare the interest on your tax return. ❖ Can be converted to insurance without your permission. (See below.) ❖ No guarantee fund to protect against embezzlement.
Funeral or Life Insurance	<ul style="list-style-type: none"> ❖ 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. 	<ul style="list-style-type: none"> ❖ If you need to cancel, you may not get back more than half you paid. ❖ If paying over time, you may pay a bit more than the face value. ❖ There may be a 30-day delay in receiving funds for which the funeral home may charge an extra fee.

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