FUNERAL PLANNING GUIDE

What to do when a loved one dies

NYC Consumer Affairs

Dealing with the death of a loved one is an agonizing task. There are many things that need to be taken care of immediately after a death, even while adjusting to a grievous personal loss. But acting in the face of personal tragedy is difficult.

The New York City Department of Consumer Affairs (DCA) has prepared this guide to help you deal with the important details that must be taken care of immediately after someone passes away, from coping with tragedy to planning a funeral.

First, if you are alone, telephone a friend to spend the next few hours with you. Shock and trauma can take unexpected forms.

Notify your funeral director as soon as possible. If you have not consulted one before, contact the New York State Funeral Directors Association [http://www.nysfda.org/about.htm]. The funeral director's staff will be able to provide you with the death certificate, and help get you the appropriate burial allowance. Ask for several copies of the death certificate, which you will need for the deceased's employer, for life insurance companies, and for legal procedures.

Planning a Funeral

Planning a funeral can be very hard to do. You may have many questions, and little time to gather answers.

Here is what you should be looking out for before making any funeral-related decisions or commitments. Remember: you have rights as the customer. Don't be afraid to shop around or ask questions.

Choosing a Funeral Home

You must be comfortable with the funeral home you choose, since you will be working closely with the funeral director. According to New York State Law, only licensed funeral directors can make arrangements for the care, moving preparation, and burial or cremation of a deceased person. He or she will also file the death certificate, transfer the body, coordinate with cemetery or crematory representatives and move the body to the cemetery or crematory.

Note: Some cemeteries owned by religious organizations or municipally owned are not subject to State regulation.

By law, the customer is entitled to a **general price list** when conducting arrangements either in person or over the phone. This list should include the prices for all services and merchandise regularly offered by the funeral home. Consumers have a right to this information before they commit to using a specific funeral home, so try to obtain multiple lists and compare prices.

Your optional costs

You have several options arranging a funeral. **Burial** involves the purchase of a plot along with cemetery fees. **Cremation** is reducing the deceased to ashes, which are either given directly back to you or deposited in a vault. You can also choose a **full service funeral** or **direct burial/cremation,** where there is no formal viewing, visitation or ceremony. Direct burial includes a graveside service in the fee.

In general, cremation is less expensive than burial and direct burials/cremations are less expensive than full service funerals.

Embalming the body is another optional service. Some funeral parlors may require it.

Embalming generally costs hundreds of dollars. Customers who do not choose embalming, however, may be charged to topically disinfect that body (part of the embalming process) as well as a refrigeration fee to cool the body. These charges must be stated up front.

By law, no funeral director can refuse to embalm a body, regardless of the cause of death of the deceased.

General funeral fees

The first step after you've chosen a funeral home is to schedule an arrangement conference, where you will discuss with the funeral director exactly what you want. The cost of the conference will be included in your Basic Arrangements Fee, which also covers the arrangements for final disposition of the body and services of the funeral director, staff, and equipment to respond to a death or inquiry. This fee also includes the cost of securing necessary authorizations, such as filing the death certificate and getting permits.

You cannot decline this charge. However, if you choose direct burial or direct cremation, the arrangements fee cannot be added, since it is already included in the overall price.

Merchandise

You must decide what sort of items you want to purchase for the funeral, including a casket or an urn (for ashes), flowers, or other expenses. There is a wide range in prices of these items—most notably the casket—depending on style and material. If you have your own casket, the funeral home is required by law to let you use it.

If you are purchasing through the funeral home, these items should be included in the General Price List. Though many funeral homes may have a separate price list for caskets, this, too, should be given to you at request and before signing anything.

Cash advance items

You may also be charged a fee for Cash Advance Items, or services and merchandise the funeral home pays directly to a third party, such as fees for the cemetery or crematory, death certificates, and clergy. The funeral home cannot profit on these items. If you choose, you may be able to pay for cash advance items directly. Regardless of who pays, be sure to get a receipt for these items.
You may be charged:

1. A custodial care fee, which charges the customer for the days the body is being held, though no services are being performed.
2. A transfer of remains fee, which covers transportation of the body from the place where the death occurred to the funeral home.

Get an itemized statement

When you have made all the decisions regarding the funeral, you should receive an Itemized Statement of Services and Merchandise—a detailed outline of the specific goods and services you have chosen and the price of each item, as well as the total cost. This must include cash advance fees.

Switching funeral homes

You have the right to switch funeral homes at any time. You will need to pay for any services that have already been performed and for which you have given approval. The funeral home must allow the transfer of the body to another funeral home, even if you haven't paid yet. It may not hold the body in exchange for payment.

Advance payment

Many people choose to select and pay for their own funeral before death. This way they ensure that they receive the service they want, while lifting the burden off their survivors. Known as “pre-need” plans, these procedures are regulated by the State Pre-need Funeral Consumer Protection Act. For more information: http://www.health.state.ny.us/nysdoh/consumer/patient/payfuner.htm.

Beware of unscrupulous practices

Don't let the funeral home take advantage of you. All of these actions are forbidden by law:

- Pressuring the customer to select certain services or merchandise
- Charging an additional fee for filing the death certificate or getting it medically certified
- Charging a “handling fee” for paying third parties on your behalf
- Charging a fee for handling a casket provided by the customer
- Charging for any service or merchandise not selected by the customer
- Charging interest on an outstanding balance unless this charge is disclosed at the time the funeral arrangements were initially made and is stated in the “Itemized Statement”
- Having persons other than a licensed funeral director make funeral arrangements, prepare the body, or supervise the burial
- Misrepresenting laws and regulations relating to funeral directing

Checklist

These are some of the typical charges incurred when planning a funeral:

- ❑ Basic Arrangements Fee
- ❑ Burial
- ❑ Casket or other interment receptacle
- ❑ Cemetery Fee
- ❑ Chapel (cash advance)
- ❑ Clergy Honoraria
- ❑ Cosmetology and Hairdressing
- ❑ Cremation
- ❑ Death Certificates
- ❑ Disinterment
- ❑ Dressing/Casketing
- ❑ Embalming
- ❑ Facilities
- ❑ Funeral Service
- ❑ Graveside Ceremony
- ❑ Hearse
- ❑ Memorial Service
- ❑ Pallbearers
- ❑ Passenger cars
- ❑ Supervision
- ❑ Topical Disinfection
- ❑ Urns (if cremation is chosen)
- ❑ Visitation

Financial

Locate the family's important papers, including wills, life insurance policies, and stock certificates.

Was your loved one employed? Call the employee benefits office with the deceased's name, Social Security number, and date of death; whether the death was due to accident or illness; and your name and address. The company can then begin to process any benefits payable immediately.

Notify Medicare (800-633-4227) of the death. If your loved one was eligible for Medicare, give the deceased's name, Social Security number, and date of death; whether the death was due to accident or illness; and your name and address.

You can get Death Certificates at (212) 788-4520 (NYC Department of Health). Your funeral director will be able to provide you with one, but you also can obtain it yourself.

Notify Social Security of the death at (800) 772-1213. Claims may be expedited if you go to the nearest Social Security Office in person to sign a claim for the survivor's benefit. Any Social Security payments to the deceased sent at the start of the month of the death or after must be returned to Social Security.

If you need emergency cash before insurance claims are paid, a cash advance may be made from any life insurance benefits to which you are entitled.

If the deceased served in the U.S. military, call the Veterans Administration at (800) 827-1000. You may be eligible for death or disability benefits.

Keep track of any money you spend. These figures will be needed for tax returns.

Avoid contracting for anything. Avoid spending or lending large sums of money. Remember that you are in a highly emotional state.

Contact a financial counselor for an appointment to discuss your financial planning. After a few weeks, the paperwork will begin to diminish. You can then take the opportunity to make any necessary changes in ownership registration for: automobiles; stocks, bonds, and investments; your residence; boats; savings and checking accounts (you may wish to open a joint account with another member of your family); charge accounts; and safe-deposit box. You may also wish to make a new will for yourself.

Complaints about cemeteries and crematories

New York State Department of State
Division of Cemeteries
41 State Street
Albany, NY 12231-0001
E-mail: cemeteries@dos.state.ny.us
New York City Phone: (212) 417-5713
Fax: (518) 473-0876

Complaints about funeral arrangements

Dial 311 or write:
New York State Department of Health
Bureau of Funeral Directing
Hedley Park Place
433 River Street, Suite 303
Troy, NY 12180-2299

The New York City Department of Consumer Affairs empowers consumers and businesses to ensure a fair and vibrant marketplace.

If you have a consumer-related complaint, go to **www.nyc.gov/consumers**, contact **311** (212-NEW-YORK outside NYC), or write:

New York City Department of Consumer Affairs
42 Broadway
New York, NY
10004-1617

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Bill de Blasio
Mayor

Lorelei Salas
Commissioner

If you have a consumer-related complaint, call DCA at 311 or (212) NEW-YORK.

New York City employees are not allowed to ask for or accept anything of value, such as money, gifts, or tips for doing their job. To report corruption, contact the New York City Department of Investigation at www.nyc.gov/doi.