

The FTC Funeral Rule

The Federal Trade Commission (FTC) is the nation's consumer protection agency. The FTC works to prevent fraudulent, deceptive and unfair business practices in the marketplace. The Funeral Rule, enforced by the Federal Trade Commission (FTC), makes it possible for you to choose only those goods and services you want or need and to pay only for those you select, whether you are making arrangements when a death occurs or in advance. The Rule allows you to compare prices among funeral homes, and makes it possible for you to select the funeral arrangements you want at the home you use.

(This Rule does not apply to third-party sellers, such as casket and monument dealers, or to cemeteries that lack an on-site funeral home.)

Your Rights Under The Funeral Rule

- Buy only the funeral arrangements you want.** You have the right to buy separate goods (such as caskets) and services (such as embalming or a memorial service). You do not have to accept a package that may include items you do not want.
- Get price information on the telephone.** Funeral directors must give you price information on the telephone if you ask for it. You don't have to give them your name, address, or telephone number first. Although they are not required to do so, many funeral homes mail their price lists, and some post them online.
- Get a written, itemized price list when you visit a funeral home.** It lists all the items and services the home offers, and the cost of each one.
- See a written casket price list before you see the actual caskets.** Sometimes, detailed casket price information is included on the funeral home's General Price List (GPL). More often, though, it's provided on a separate casket price list. Get the price information before you see the caskets, so that you can ask about lower-priced products that may not be on display.

- See a written outer burial container price list.** Outer burial containers are not required by state law anywhere in the U.S., but many cemeteries require them to prevent the grave from caving in. If the funeral home sells containers, but doesn't list their prices on the GPL, you have the right to look at a separate container price list before you see the containers. If you don't see the lower-priced containers listed, ask about them.

- Receive a written statement after you decide what you want, and before you pay.** It should show exactly what you are buying and the cost of each item. The funeral home must give you a statement listing every good and service you have selected, the price of each, and the total cost immediately after you make the arrangements.

- Get an explanation in the written statement** from the funeral home that describes any legal cemetery or crematory requirement that requires you to buy any funeral goods or services.

- Use an "alternative container" instead of a casket for cremation.** No state or local law requires the use of a casket for cremation. A funeral home that offers cremations must tell you that alternative containers are available, and must make them available. They might be made of unfinished wood, pressed wood, fiberboard, or cardboard.

- Provide the funeral home with a casket or urn you buy elsewhere.** The funeral provider cannot refuse to handle a casket or urn you bought online, at a local casket store, or somewhere else — or charge you a fee to do it. The funeral home cannot require you to be there when the casket or urn is delivered to them.

- Make funeral arrangements without embalming.** No state law requires routine embalming for every death. Some states require embalming or refrigeration if the body is not buried or cremated within a certain time; some states don't require it at all. In most cases, refrigeration is an acceptable alternative. In addition, you may choose services like direct cremation and immediate burial, which don't require any form of preservation. Many funeral homes have a policy requiring embalming if the body is to be publicly viewed, but this is not required by law in most states. Ask if the funeral home offers private family viewing without embalming. If some form of preservation is a practical necessity, ask the funeral home if refrigeration is available.