



Karl A. Racine
D.C. Attorney General

Office of the Attorney General Consumer Alert — Shopping for Funeral Services

Planning a funeral can be stressful. Balancing financial considerations with the emotional strain can make planning even more difficult. And, trying to understand the options and costs can be confusing. This brochure should provide you with some basic information about your choices, your rights, and the cost of a funeral in the District of Columbia.

Starting to Plan a Funeral

It is not necessary to use the services of a funeral home in order to take care of a loved one who has passed away. For example, if you are choosing cremation you can contact a crematorium directly for their services. Many people then plan services at their place of worship, their homes, or a community center. These types of services may be less expensive for you than using a funeral home.

Some people choose funeral homes, however, because they offer a variety of services at one place. If you decide to hold a service at a funeral home, you have a number of legal protections that should enable you to make the choices that are right for you and your family.

You can start the planning process by simply making calls. You have the right to obtain **price information over the phone** from a funeral home without providing your name, address or phone number. This means that you can contact several funeral homes to obtain information about fees (such as the “basic services fee,” fees for visitation, or the range of fees for caskets and outer-burial containers.)

If you visit a funeral home, you have a number of rights with respect to how much the home can charge you for certain items and what they have to disclose about prices, all of which is detailed below.

General Price List

As soon as you enter a funeral home to ask about arrangements, the funeral provider should give you a **General Price List**, with the home’s current full list of prices. Under federal law, the General Price List must contain current prices for 16 specified funeral-related goods and services, including what the funeral industry calls a “basic services fee,” the cost for the use of the facilities for viewing, and the range of prices for caskets and outer burial containers. You have the right to keep a copy of the General Price List.



Connect with the Office of the Attorney General

441 4th Street, NW, Washington, DC 20001

Phone: (202) 727-3400 Fax: (202) 347-8922 TTY: (202) 727-3400

Email: dc.oag@dc.gov

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A funeral home's General Price List also must disclose six important facts:

1. **You have the *right to choose only the services that you want*.** A funeral director cannot tell you that you have to purchase a package, or pay for a service that you do not want or need (such as limousine rental). The only item that you must pay for is the basic services fee. Our recent survey of funeral home prices has shown that this fee can vary widely between funeral homes. (provide link in online version.)
2. ***Embalming is not required by law*.** Embalming is the replacement of fluids in the body with chemicals. If you are having a direct cremation or immediate burial, you do not need to pay for embalming. Also, in the District of Columbia, a funeral home cannot perform embalming services without specific written authorization from the deceased's next of kin, except in case of emergency.
3. **If you decide on a *direct cremation*, you do not need to buy a casket.** A direct cremation occurs without any formal viewing of the body or any visitation or viewing with the body. The funeral home should provide you with an "alternative container," such as a fiberboard container or unfinished wood box for a direct cremation.
4. **You must pay the funeral home's *basic services fee*.** This fee covers services that are common to all arrangements, as well as the funeral home's overhead costs. However, there can be differences between funeral homes in what, exactly, is covered by the fee. For instance, some homes include the cost of obtaining a death certificate in this fee, while others do not.
5. **You have the right to look at a *Casket Price List*.** Some funeral homes include the Casket Price List on their General Price List; others just include the range of prices on the General Price List and have a separate Casket Price List. If you are considering a casket, the funeral home should supply you with a Casket Price List as soon as you begin talking about caskets, although they do not have to provide you with a Casket Price List that you can take home.
6. **You have the right to look at an *Outer Burial Container Price List*.** Burial vaults and grave liners are containers that enclose a casket in a grave. These containers can add a significant cost to a funeral. Although D.C. law does not require you to use an outer burial container, if you choose a burial, the cemetery may require one because they help to prevent the grave from sinking deeper into the ground. You can purchase an outer burial container from the funeral home, the cemetery, or from an online vendor. The funeral home should supply you with an Outer Burial Container Price List before they show you any of the containers, unless they include the prices for each outer burial container on the General Price List.



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Price Padding

Under D.C. law, when a funeral home pays a third party for a service for you, the home may not charge you more than the amount it pays to that third party (unless you do not pay them within 30 days). Some examples of these charges include:

- ◆ A death certificate (the Department of Health charges \$18 for a certified copy, and \$10 for an administrative copy);
- ◆ Cremation approval (the D.C. Office of the Chief Medical Examiner charges \$75);
- ◆ Flowers (you can ask to bring in your own);
- ◆ Clergy; and
- ◆ Cemetery charges.

If you suspect that you are being over-charged for a good or service that the funeral home paid for you, you should ask to see the bill that the funeral home paid.

Caskets

Caskets can be expensive. Today, you have more options for purchasing a casket, including from online vendors such as Amazon, Walmart and Costco. If you want to avoid purchasing a casket, some funeral homes allow you to rent a casket for a service.

Funeral homes **cannot require you to purchase a casket through them, and cannot charge you a fee for bringing in a casket that you have purchased somewhere else.** Funeral homes are also prohibited by law from criticizing the quality of the caskets available from outside vendors.

Funeral homes cannot make untrue claims about a casket's ability to preserve a body. Some funeral homes have tried to sell sealed caskets (which are more expensive), by saying that they will preserve the body. According to the Funeral Consumer's Alliance, sealed caskets do not preserve the body. You can ask to see the manufacturer's warranty on the casket.

Pre-Planning a Funeral

You may want to pre-plan for your own funeral, or the funeral of a loved one. Pre-planning may provide you with peace of mind, or help to ensure that you put aside funds for the funeral that you want.

You can pre-plan a funeral without pre-paying. But, some people choose to pre-pay in order to lock in current prices. If you do this, make sure that your contract states that the prices are guaranteed. Let your next of kin or a close friend know that you have done this, and give them a copy of your contract. Otherwise, they may select a different funeral home when you pass away and pay again. Also, if you pre-pay make sure that you know which bank the funeral home is using to hold your deposit.



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Under D.C. law, if you pre-pay for your funeral, know that you may cancel the contract any time before the funeral home provides the services or supplies (even if the contract says that you cannot):

- ◆ If you cancel within 30 days of the date of the contract, you should get a full refund.
- ◆ If you cancel more than 30 days after the date of the contract, you should get at least 90% of the amount you deposited, plus all interest that the deposit has earned.

Other Rights You Have When Planning a Funeral

- ◆ A funeral home may not reach out to you to try and sell funeral services after a death (although they may generally advertise their services.)
- ◆ At the end of your discussion with the funeral home about arrangements they should give you a written, itemized statement of the goods and services that you have selected. Each item should be listed separately on this document; you should not just see a ‘total’ price.
- ◆ If your agreement with a funeral home states that a burial, funeral, or cremation is to take place on a certain day, or time, the funeral home cannot try to get you to change the date or time by misstating facts or circumstances, particularly if the change will cost you more money.
- ◆ The funeral home cannot make any statements that funeral goods or services will delay the natural decomposition of a body for a long term or an indefinite time.

What Should I Do If I Believe a Funeral Home is Violating the Law?

File a complaint with the District of Columbia Attorney General’s Office of Consumer Protection by:

- ◆ calling our hotline at (202) 442-9828,
- ◆ emailing consumer.protection@dc.gov,
- ◆ filing a complaint online at <https://oag.dc.gov>, or
- ◆ writing to us at:

Office of Consumer Protection
Office of the Attorney General
441 Fourth Street, N.W., Suite 600 South
Washington, D.C. 20001



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