



# In Touch

Bay Area Funeral Consumers Association

[www.ba-fca.org](http://www.ba-fca.org)

## 10 Things You Can Do to Avoid Fraud

Courtesy of [sowardslawfirm.com](http://sowardslawfirm.com)

International scam artists use clever schemes to defraud millions of people across the globe each year, threatening financial security and generating substantial profits for criminal organizations and common crooks.

They use phone, email, postal mail, and the Internet to cross geographic boundaries and trick victims into sending money or giving out personal information.

While con artists can be clever, many can be foiled by knowledgeable - and equal canny - consumers.

Here are 10 things you can do to stop a scam...

**1. Keep in mind that wiring money is like sending cash:** the sender has no protections against loss. Con artists often insist that people wire money, especially overseas, because it's nearly impossible to reverse the transaction or trace the money. Don't wire money to strangers, to sellers who insist on wire transfers for payment, or to someone who claims to be a relative in an emergency (and wants to keep the request a secret).

**2. Don't send money to someone you don't know.** That includes an online merchant you've never heard of - or an online love interest who asks for money or favors. It's best to do business with sites you know and trust. If you buy items through an online auction, consider a payment option that provides protection, like a credit card. Don't send cash or use a wire transfer service.

**3. Don't respond to messages that ask for your personal or financial information,** whether the message comes as an email, a phone call, a text message, or an ad. Don't click on links in the message, or call phone numbers that are left on your answering machine, either. The crooks behind these messages are trying to trick you into giving up your personal information. If you get a message and are concerned about your account status, call the number on your credit or debit card - or your statement - and check it out.

**4. Don't play a foreign lottery.** First, it's easy to be tempted by messages that boast enticing odds in a foreign lottery, or messages that claim you've already won. Inevitably, you'll be asked to pay "taxes," "fees," or "customs duties" to collect your

prize. If you send money, you won't get it back, regardless of the promises. Second, it's illegal to play foreign lotteries.

**5. Don't agree to deposit a check from someone you don't know and then wire money back,** no matter how convincing the story. By law, banks must make funds from deposited checks available within days, but uncovering a fake check can take weeks. You are responsible for the checks you deposit: When a check turns out to be a fake, it's you who is responsible for paying back the bank.

**6. Read your bills and monthly statements regularly** - on paper and online. Scammers steal account information and then run up charges or commit crimes in your name. Dishonest merchants sometimes bill you for monthly "membership fees" and other goods or services you didn't authorize. If you see charges you don't recognize or didn't okay, contact your bank, card issuer, or other creditor immediately.

**7. In the wake of a natural disaster or another crisis, give to established charities** rather than one that seems to have sprung up overnight. Pop-up charities probably don't have the infrastructure to get help to the affected areas or people, and they could be collecting the money to finance illegal activity. Check out [ftc.gov/charityfraud](http://ftc.gov/charityfraud) to learn more.

**8. Talk to your doctor before buying health products or signing up for medical treatments.** Ask about research that supports a product's claims - and possible risks or side effects. Buy prescription drugs only from licensed U.S. pharmacies. Otherwise, you could end up with products that are fake, expired or mislabeled -- in short, products that could be dangerous. Visit [ftc.gov/health](http://ftc.gov/health).

**9. Remember there's no such thing as a sure thing.** If someone contacts you promoting low-risk, high-return investment opportunities, stay away. When you hear pitches that insist you act now, guarantees of big profits, promises of little or no financial risk, or demands that you send cash immediately, report them to the FTC. For more information about investment fraud, visit [cftc.gov](http://cftc.gov).

**10. Know where an offer comes from and who you're dealing with.** Try to find a seller's physical address (not just a P.O. Box) and phone number. With VoIP and other web-based technologies, it's tough to tell where someone is calling from. Do an Internet search for the company name and website and look for negative reviews. Check them out with the Better Business Bureau at [bbb.org](http://bbb.org).

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Can you make phone calls, visit mortuaries or scour websites to help us fill out and verify our mortuary price information? We'll provide training materials and guidance. Send an email to [office@ba-fca.org](mailto:office@ba-fca.org) or call us at 650-321-2109 if you would like to help out.

### Where Are You?

We have well over 800 members in our database whom we can no longer contact. Newsletters have been returned with no forwarding address or emails have bounced.

If you have changed your address, email, or phone number, or know of a member who has a change, please call our office (650-321-2109) or email us, and let us know so that we can update our records. You can also update your information online at [www.ba-fca.org/MemUpdateForm.html](http://www.ba-fca.org/MemUpdateForm.html).

Hard work will never hurt you...  
provided you watch it from a safe  
distance.

~~Bob Monkhouse

## Home Funerals: Complicating Factors

Taking care of final arrangements is stressful and complicated, which is why most people rely on funeral directors to manage the details. But family-managed death care (without the help of a licensed funeral director) is perfectly legal in California, and is on the rise. However, the traditional reliance on funeral professionals to handle, transport, and store the body, has meant that medical and care institutions (hospitals, care homes) often have policies that require the use of a funeral home, despite what the law allows. The National Home Funeral Alliance has provided some guidelines for dealing with this situation. The full article "What To Do When Families' Home Funeral Rights Are Challenged" may be viewed at on our website under Home Funerals. ([www.ba-fca.org/HomeFuneral.html](http://www.ba-fca.org/HomeFuneral.html), click on "helpful information.")

Here are some of the pertinent bits.

- Ask for the institution's body-removal policy in writing,
- Get names and contact information for all the personnel at the institution who implement the obstructing policy,
- Be prepared to provide, in writing, any state laws that prove the rights of spouse/next-of-kin/agent,
- Solicit the help of a home funeral guide, a local Funeral Consumers Alliance affiliate (such as [www.ba-fca.org](http://www.ba-fca.org)), a clergy member you know, your local town clerk, an NHFA board member near you, etc., to provide backup.

If the home funeral movement continues to grow, institutions will learn over time and adjust their policies, but in the near term it is best to be prepared if you need to challenge them.

Another problem has to do with California's electronic death registration system, into which deaths are recorded, and out of which copies of death certificates are produced. Only medical professionals and institutions have access to the system for inputting information about the death, so county records personnel are not at all used to having manually-filled-out death certificates handed to them to enter to the system, even if all the information is provided, including the critical physician's statement about cause of death. The ease or difficulty of getting the information input manually varies by county. But if all else fails, a funeral director can help.

## Brown Is the New Green for Cemeteries

The Cemetery and Funeral Bureau has new drought-inspired guidelines for watering cemetery lawns: (1) Cemeteries that use recycled or reclaimed water are not restricted. (2) Cemeteries with a well are required to reduce their potable water usage by 25% or limit watering to 2 days a week, and (3) Cemeteries that receive water from a regulated water utility must comply with the water efficiency measures implemented by their local water provider.

## AB X2-15 End of Life Options Act

AB X2-15 (Eggman) passed the legislature and is signed into law.

Aid-in-Dying is a contentious topic, and the bill that has just been signed goes some way to assuage everyone's concerns, though in doing so makes the new option complicated to exercise. The bill specifies that participation by physicians is voluntary, and provides immunity from civil, criminal, or professional disciplinary action for physicians participating in good faith. The law prohibits any insurance or health-care agreement from being conditioned upon a patient making or not making the decision to die. It also mandates that the cause of death listed on the death certificate shall be the underlying terminal condition, and not suicide.

The safeguards against coercion of the patient include witnessed oral and written requests for aid-in-dying with a waiting period of 15 days between requests, limitations on who may be a witness (not the attending physician, for example), and full freedom by the individual to take or not take the medication once prescribed.

The passage of this law means you have a new task to perform. If you want to be able to exercise this new option at the end of your life, you need to be sure all pertinent folks are on board. Ask your current physician, and any new physician you get, if he/she would be willing to provide the final prescription. Ask the person who has your Power of Attorney for Health Care if he/she will "hand you the pills."

Further information with the full text of the bill and analyses is available at [https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201520162AB15#](https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520162AB15#)



## Tributes

### With thanks to these donors

Each year our organization receives gifts made to honor respected individuals or in memory of loved ones who are missed. Below are the financial tributes we have acknowledged since the last newsletter:

#### *In Memory of:*

**Cecil E. Duncan**, from Adrienne Duncan  
**David & Margot Botsford**, from Peter Botsford  
**Janine Feldman**, from Carla Jones  
**Lucile Benedetti**, from Laurel Beth Benedetti  
**Mary Hornback**, from Deborah Meckler  
**Olive Leskovsky**, from Alexander Leskovsky  
**S.D. Firestone, MD**, from Genevieve Firestone  
**William & Evelyn Phillipson**, from William Phillipson

#### *In Honor of:*

**David and Margot Botsford**, from Judith Warren

## Returning to Earth: False Steps, Future Steps

In the early 1950s, Norwegians started wrapping their dead in plastic before putting them in wooden caskets for burial, believing that this was a more “sanitary” practice. (For the body? For the soil?) Thirty years later, it became obvious why this had been a serious mistake. In Norway, as in much of Europe, land is expensive and grave space must be reused every 20 years or so to allow the earth to provide its free decomposition services for another body. Grave-diggers, encountering these plastic-wrapped bodies after 20+ years, found that they had not decomposed into the earth, but had turned into something quite unpleasant inside the still-intact plastic. The graves containing them could not be reused, and expanding the size of cemeteries to accommodate the ongoing need for new burials was simply not an option. Enter Kjell Larsen Ostbye, a former graveyard worker, who, remembering his high school chemistry, figured that by poking holes in the ground and through the plastic and then injecting a lime-based solution into the corpse, proper decomposition could be accelerated. The process worked well enough for Ostbye to start his own business, and with hundreds of thousands of plastic-wrapped corpses to go, business is lively, so to speak.

Americans, too, have often sought to protect their remains from decomposing by embalming them and sealing them up in caskets. It doesn't work, of course (see above). Lately the green burial movement has embraced an opposite paradigm of eschewing all non-biodegradable containers and toxic processes so that our remains can more easily rejoin the earth that has nourished us throughout life. Jae Rhim Lee would like to

take this yet a step further. Recognizing that our bodies are awash in toxins simply from everyday life—a body load for every living human estimated at 700+ contaminants, including phthalates, PCBs, fire retardants, heavy metals, endocrine disrupters, paints, glues, cosmetics, pesticides—Lee is working on a way to detoxify our bodies as we decompose, using mushrooms that break down and consume toxic chemicals. She is breeding fungi that will be specialized for human decomposition/detoxification (“decompiculture”) and has created a “mushroom death suit”—a spore-infused garment in which to be buried that will speed and detoxify the decomposition process. See her fascinating TED talk at <http://www.coeio.com/#product> (scroll down to see video).



And if you thought nothing could be more radical than that, think again. Katrina Spade (is that name perfect or what!) liked the idea of ecosystem-friendly green burial, but did not like the idea that city dwellers have to go out of the city in order to turn back into earth. So she began her work on the Urban Death Project ([www.urbandeathproject.org](http://www.urbandeathproject.org)), which turned into her thesis for her architectural degree at University of Massachusetts Amherst. Simply put, bodies would be

composted—turned to dirt suitable for spreading on gardens. Composting bodies is a sound idea and has been around for a long time. Large animal road kill, deer for example, is successfully composted in piles of wood chips, reducing a 150-pound creature to bones and compost in about six months. Spade's contribution has



been to design an urban building where the composting can occur quite locally, a beautiful space in which to facilitate meaningful ceremonies around death and to treat the remains of loved ones with respect. Family members will ceremonially carry the deceased up a series of ramps to a top floor when they will be placed in “the core,” a compost pile of bodies mixed with wood chips and sawdust. The project is still in the conceptual stage, but Spade has been awarded a fellowship that will allow her to work on the project full time in the Seattle area. Our Washington-based FCA affiliate, the People's Memorial, has come out in support of the project, which represents another alternative to the heavily commercialized funeral industry.

## The Doctor will talk to you now...

A proposed new Medicare payment category may mean that now your physician will talk to you about advance care planning.

Turns out that the reason Medicare/Medicaid physicians don't initiate the discussion about advance care planning (or respond well if you bring it up) is that they have no code under which to be reimbursed for the time spent on that conversation. That may change.

Upon the recommendation of the American Medical Association, the Centers for Medicare and Medicaid Services (CMS) has proposed The Care Planning Act, which would make advance care planning a “separately payable service” under Medicare/Medicaid.

In short, your doctor could now get paid for talking to you about care planning. A 2014 survey reports that nearly one in four older Americans report having received or knowing someone who has received excessive or unwanted medical care, which is not only unpleasant for the patient, but expensive for the institution. If advance medical directives are helpful in making clear what you want, drawing your doctor into the discussion can only clarify things further.



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Visit us on the web! [www.ba-fca.org](http://www.ba-fca.org)

### RETURN SERVICE REQUESTED

Dedicated to protecting the right to choose meaningful, dignified, affordable death care, and to providing information to help make these choices.

### SMILE!

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You just log in to your Amazon account through [Smile.Amazon.com/ch/94-3402027](http://Smile.Amazon.com/ch/94-3402027), and a portion of whatever you spend will be donated to BA-FCA! We have a direct link to Amazon Smile on our homepage ([www.ba-fca.org](http://www.ba-fca.org)). Be sure to bookmark it! Anything you can get through Amazon.com is available through Amazon Smile. So now when you make a purchase, your money will go farther than ever.

**Before I Go, You Should Know**—This \$15 booklet contains useful forms (powers of attorney, advance directives, etc) and lots more! Order by emailing [office@ba-fca.org](mailto:office@ba-fca.org) or calling 650-321-2109.

### News You Can Use

**NEW VIDEOS on our website.** If you are the sort of person who would rather watch and listen than strain your eyes with small print, then check out the new additions to our website ([www.ba-fca.org](http://www.ba-fca.org)). Right on the front page, there is a link to our Introductory video, as well as other informative (and sometimes quirkily humorous) videos on such topics as: Behind the Scenes at a Funeral Home, Ask a Mortician about Body Donation, Jewish Funeral Traditions, and, not to be outdone, the scintillating California Cemetery and Funeral Bureau Consumer Guide. And more. Make some popcorn and enjoy!

**DEATH & TAXES:** As certain as ever, death is now even more taxable. In May, California's Board of Equalization, attempting to update the 82-year-old tax code regarding funerals, gave preliminary approval to tax products and services, such as memory DVDs and memory books, that are often part of modern funerals. The memory DVD, usually consisting of photos, music, and tributes, is often shown at memorial services. The original is not taxable, but a \$25 "souvenir" copy will require the payment of sales tax.

Taxable aspects of death are complicated: Caskets are taxable but not embalming fluid. The first copy of the death certificate is not taxable, but additional copies are. It all depends on who is perceived to be the "consumer." [www.sfgate.com/news/article/Funeral-taxes-California-takes-its-cut-from-the-6231681.php](http://www.sfgate.com/news/article/Funeral-taxes-California-takes-its-cut-from-the-6231681.php).

**Tighter Requirements for Care Home Operators.** AB601, passed and awaiting the governor's signature, would require applicants for a license to operate a care facility for the elderly to supply additional information about ownership so that names could be cross-checked with the Department of Public Health as to the owner's history in operating such facilities. This would prevent cases where one facility is closed for cause, but the owner just opens again under a different name. Information about each facility would be posted to the website of the Department of Social Services, [www.cdss.ca.gov](http://www.cdss.ca.gov).

**If you always wanted to go to the moon, now you can.** And it won't even be dangerous, because you will already be dead. Elysium Space ([elysiumspace.com](http://elysiumspace.com)), who

brought us orbiting ashes, is now working with Astrobotics to deliver a "symbolic portion" of your remains to the moon. All for the attractive price of \$11,950. After you book your trip (the first launch in late 2015 is already booked up), Elysium will mail you a kit that contains a custom ash capsule, for a portion of your ashes, and a prepaid return shipping container. (Someone else may have to do this for you if it's your ashes...) You may customize your capsule with the initials of your choice, up to 3 characters "elegantly engraved on its cap." The launch will be webcasted; family and guests are welcome to attend the launch viewing event. As a secondary payload for the ride into space, the Elysium memorial spacecraft may orbit the earth several times before it heads out for the moon. A mobile app will allow friends and family to follow the spacecraft's journey to the moon.

*I could now afford all the things I never had as a kid—if I didn't have kids.*

*~~~Robert Orben*