

The Director

Summer 2009

POLICY BOARD REPORT

Policy Board Considers Allied Proposal

By Bill Booker
*Policy Board
Representative*

I was honored to represent the Arkansas Funeral Directors at the July NFDA Policy Board Meeting. This event was held in late July in Branson, in conjunction with the summer Leadership Conference of NFDA.

While the meeting covered many topics, the two most interesting dealt with the composition of our profession and who can be members of our national trade association.

In Arizona, the state funeral directors association and the state cemetery association

have formally voted to merge the two separate groups into one new organization (“The Arizona Funeral, Cemetery and Crematory Association”). Until this merger, NFDA recognized the Arizona Funeral Directors Association as the Arizona group that officially held a membership charter within NFDA.

Now that the state funeral directors association has been dissolved through this merger, the NFDA House of Delegates will be asked to approve recognizing the new entity as the official Arizona state association that is a charter member of NFDA.

I am not certain what the future holds, but I would not be surprised if we did not see more mergers in the future of these types of groups around the country.

In a related area, the Policy Board had much discussion and debate about a resolution that was brought forward to it from our Executive Board. That proposal deals with the creation of a new form of membership within NFDA referred to as “Allied membership.”

Under this proposal, if approved, a person who is otherwise not currently eligible for

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AFDA Representatives Attend Leadership Conference in Branson

By Bobby Thurman

About 300 people from several different states attended NFDA’s Leadership Conference July 24-29 in Branson, Mo. The purpose of this conference is to train and educate state

officers to make their associations stronger and better for their members.

We had the opportunity to meet people from around the country and learn from them. Board members

who attended were Earl Sanders, Bobby Thurman, Billy Holifield, Bobbie Lance and Bill Booker. Also attending from Arkansas was Sumner Brashears.

A variety of topics
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AFDA Mission Statement

*Inspiring
excellence
in service
for funeral directors.*

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FROM THE PRESIDENT

Ensuring the Future of Our Profession



*I challenge each
and every one of you
to “Take Pride,”
“Take Care of
Business” and “Take
Care of Your
Families” by being
professionals.*

We have just returned home from the NFDA Leadership Conference in Branson, Mo., where we spent four days with association leaders from around the country.

After spending time visiting with some of these other officers, it is reassuring to know that there are many caring professionals out there doing the same things we do at home. I feel it is a true privilege to work, every day, with the caring professionals that staff our funeral home.

Having said that, I would like to share with you something that happened to me not long after I assumed the position of treasurer for the Arkansas Funeral Directors Association.

Five years ago my aunt died. A longtime established funeral home took care of her funeral. She was a woman of meager means, as were her children. In making funeral arrangements, the family chose to have a graveside service along with a visitation at the funeral home the night before.

My parents and I drove over for the visitation. After spending time visiting with my family, I wandered into the office where I finally found an em-

ployee of the funeral home. I introduced myself and tried to visit with a colleague. I soon realized this **person** knew absolutely nothing about the funeral plans of the only person lying in state at their funeral home. She couldn't even tell me a good place to eat in their city.

The next morning my parents and I drove back over for the graveside service. When we arrived at the cemetery I started looking for funeral directors. The funeral coach was parked about 50 feet from the tent with the casket still inside. There were probably 60 people standing between the coach and the grave, but no funeral directors were to be found. My cousin, who arranged the funeral, told me he had not seen any of the people from the funeral home.

Fifteen minutes before service time, I saw two funeral directors standing against a flower van 70 yards away from the gravesite. I walked over and introduced myself. Surprisingly, I knew one of these men. We exchanged small talk for a few minutes before I went back over with my family. I never said anything to any of the attendees about what was NOT going

on. But, I could only last so long.

At five minutes until service time I walked over to the funeral directors again and asked if they had or were going to set up a register book? The response was, “I’ll get that in a minute.” I walked back to the tent.

Three minutes after the service was scheduled to start, my cousin asked me what they were supposed to do. Seeing the directors still leaning on the van, I proceeded to gather pallbearers, place the casket and sat the family.

After the service was halfway through, one of the directors walked up and thanked me for taking care of getting things started. At the conclusion of the graveside service, the director did walk up and dismiss the family while the other gentleman set up a register book.

This being said, I relate this experience as a reminder to all of the professionals in our business as a way NOT to treat our families. I am proud to be associated with the professionals in our funeral profession. I challenge each and every one of you to “Take Pride,” “Take
(Continued on Page 3)

RULES & REGS

Regulations: 'Known Shipper' In Effect; 'Red Flag' Extended

The Transportation Security Administration's (TSA) "known shipper" regulation went into effect on Aug. 1, but the Federal Trade Commission (FTC) extended the compliance deadline for its "Red Flag" regulations from Aug. 1 to Nov. 1.

According to TSA policy, as of Aug. 1, all human remains shipments originating in the U.S. or its territories must be tendered by a "known shipper." This policy will apply to all airlines accepting human remains for transport, and requires funeral homes to register as a "known shipper" for each airline they use to ship bodies.

That process might require an inspection and payment of an inspection fee.

For more information, visit this section of the NFDA Web site: www.nfda.org/tsainfo.

The FTC granted the extension on its "Red Flag" regulations to give creditors and financial institutions more time to review the regulations and develop and implement written identity theft prevention programs.

The "Red Flag" regulations were issued as part of the Fair and Accurate Credit Transactions Act of 2003 and requires creditors and financial institutions to implement programs to deter, prevent

and mitigate identity theft in connection with credit provided to consumers.

According to NFDA General Counsel Scott Gilligan, if your funeral home undertakes any of the following actions, it must institute and approve an identity theft prevention program by the new compliance deadline of Nov. 1:

- Regularly enters into arrangements with at-need or preneed consumers that allow them to pay for funerals in multiple installments.

- Regularly sells preneed insurance policies as an agent for an insurance company that allows a consumer to purchase the policy through multiple installment payments.

- **Regularly** refers consumers to consumer financing companies that extend credit to consumers to purchase funerals.

Gilligan has prepared funeral service-specific information about the FTC "Red Flag" regulations, including a "Sample Identity Theft Prevention Program."

NFDA members with questions regarding these regulations can download the information from the NFDA Web site at www.nfda.org or call Gilligan at (513) 871-6332.

*This policy ...
requires funeral
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a "known shipper"
for each airline
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From the President

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Care of Business" and "Take Care of Your Families" by being professionals. In doing so, we will ensure the future of our profession.

As a side note to the above story: I asked the funeral directors if they were going to attend the AFDA Mid-Winter Meeting that was coming up the next month. The response was, "No, I don't care about that stuff." I believe the fellowship and education they would have gained, had they attended, would have helped them "care about that stuff."



Earl Sanders
AFDA President

NFDA Urges FTC to Strengthen Funeral Rule Following the Burr Oak Cemetery Tragedy

NFDA CEO
Christine Pepper
reiterated the
association's call for
increased consumer
protection under the
Funeral Rule.

The National Funeral Directors Association is again calling on officials at the Federal Trade Commission (FTC) to extend the Funeral Rule to cover all sellers of deathcare goods and services.

In a letter to FTC Chairman Jon Leibowitz, NFDA CEO Christine Pepper, CAE, reiterated the association's call for increased consumer protection under the Funeral Rule. Over the past 20 years, NFDA has been joined by consumer groups, such as AARP, in repeatedly petitioning the FTC to expand the Funeral Rule to cover all sellers of funeral goods and services, including ceme-

teries and crematories.

In her letter, Pepper states: "Any time the government extends regulations over sellers in an industry or profession, it has the effect of curtailing the opportunity for abuse. If a seller is not licensed, not inspected and not regulated by federal, state or local governments, it operates in a free-for-all world where there is no accountability for any transgression... NFDA, AARP and other organizations have documented the harm that consumers have experienced... The FTC has refused to even investigate these complaints by arguing (without any support

or evidence) that the practices are not pervasive throughout the industry. As a result, cemetery and crematory consumers continue to suffer from these reoccurring scandals."

This letter comes on the heels of the events surrounding Burr Oak Cemetery in Alsip, Ill. In July, Illinois authorities and the FBI launched an investigation into the illegal exhumation of hundreds of bodies that were allegedly dumped in a mass grave so that cemetery plots could be resold. Authorities report that thousands of the dead remain unaccounted for by their families.

NFDA Sponsors Mobile Museum of Funeral Customs

NFDA has announced its sponsorship of *Reflections: The American Funeral*, a mobile museum designed to educate and inspire both the public and funeral service professionals about American funeral customs and the caregivers who attend to those in mourning.

This historical perspective on funeral customs and traditions is spread throughout 1,000 square feet of thoughtful display areas, beginning with

Native American burial mounds and ending with the diverse rituals practiced across the country today. Visit www.reflectionsaft.com for more information, including photographs,

video and a current schedule of upcoming events nationwide, including an appearance during NFDA's International Convention & Expo in Boston, Mass., on Oct. 25, 2009.

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Q & AFDA

Do you use any of the new social media tools in your business and, if so, what is the best way for funeral directors to harness the power of a medium like Facebook?



Jeff Smith

North Little Rock Funeral Home

North Little Rock

We just started a “fan page” on Facebook. It is surprising how quickly friends of our employees and others are joining the page. At this time we are just using it as an avenue to expose our funeral home. With time I hope to be able to capitalize on social media tools more.

Question?

Got a question you would like to present to the AFDA membership through this feature? Send it to Bill Paddock at bill@brentstevensonassociates.com.



Renata Byler

Roller Funeral Homes of Arkansas

Little Rock

The possibilities are endless for the use of the new social media tools in our profession. We, at Roller Funeral Homes, are however concentrating on Web-casting and being able to fill the void for our families that are not able to physically attend the funeral. With Web-casting there are no limits to the delivery process with the family’s permission. So at this time I have to answer “no” to the specific question “Does Roller Funeral Homes use the new social media tools?”



Melanie Heath Posey

Heath Funeral Home Paragould

We use a Web page now but have not branched into Facebook, MySpace and Twitter. I can see them as being powerful tools for publicity as long as the information on the sites stay positive. I don't know how you would control someone putting a negative comment on your site without having to check it periodically throughout the day, which sometimes funeral directors do not have that luxury. With that being said, it would be a way to connect with generations like myself who use Facebook and Twitter quite a bit!

LEADERSHIP CONFERENCE REPORT

Branson

(From Page 1)

were addressed by T. Scott Gilligan, Karen Tucker Thomas and Paula Cozzi Goedert. The Policy Board representatives met first on Friday and Saturday to discuss several issues. The rest of us got there Sunday for a reception and registration.

Monday started off with Scott Gilligan of Gilligan Law Offices covering “Scott’s Rules of Order.” This was an overview of Robert’s Rules of Order. We looked at 20 scenarios that a board may find itself dealing with and how to deal with them. Scott is always informative and an exciting speaker. He was truly the highlight.

Next was Karen Tucker Thomas, CAE. She is the president and founder of KST Consulting, LLC. She gave a two-part presentation Monday and Tuesday on how to “Build an Effective Board.” She covered almost 75 topics on Monday and Tuesday – everything from “7 Measures of Success” to “Why Members Join” to “Mapping 50 Key Trends.”

Tuesday ended with Paula Goedert of Barnes & Thornburg, LLP. She covered six topics of “Association Law Basics.” This included governance, copyright,

sponsorship and insurance issues. She also discussed independent contractors and their role with an association and finished it up with “Surviving in a P.C. World.”

On Wednesday, Gilligan presented “Preneed: How Does Your State Rate?” He covered the NFDA Model Consumer Protection Guidelines for State Preneed Statutes. According to his comparison of state laws to these guidelines, Arkansas is doing pretty good. We are on the States Preneed “To Do” List. He cited a weakness in our consumer disclosures giving us a “fair” rating.

He would also like our state to adopt a policy of giving consumers a “confirmation of deposit.” Normally a family will get a receipt when it makes a payment. This is a receipt when the money is deposited in the trust or with the insurance company.

Many states are doing this in several ways. The bank will send a receipt to the family, or the state board will if the state has its own trust, or the funeral home has to do this.

NFDA is proposing allied membership to “... any business or individual not otherwise eligible for membership in NFDA who

is involved in a field allied to the funeral profession and may apply to become an allied member by making written application to the secretary of NFDA.”

The reason for this, according to their Q & A sheet, is that by “expanding membership to include allied professionals this will help to increase NFDA’s sphere of influence in all facets of funeral service and provide new audiences for positive messages about the funeral service profession and NFDA members.”

There was a lot of debate and interesting scenarios brought up by those in attendance. This is something to look at. If you want more information, contact our NFDA state representative, Darlene Hoffman.

We closed the conference with breakout by office sessions. This put state officers in small groups to discuss topics effecting state associations. We got a lot out of these classes and they really were a highlight as well.

Overall, this was a great conference, and we were blessed to have it so close to us this year.

(Bobby Thurman of Nelson Funeral Service in Berryville is president-elect of AFDA.)

According to his comparison of state laws to these guidelines, Arkansas is doing pretty good.

NEWS BRIEFS

Policy Board Elects 2 To Executive Board

The National Funeral Directors Association (NFDA) Policy Board met on July 25 in Branson, Mo., and elected Jzyk S. Ennis, MPA, CFSP, of Ridout's Trussville Chapel in Birmingham, Ala., and Mark Mortimore of Mortimore Funeral Home in Thermopolis, Wyo., to serve as at-large representatives to the Executive Board.

They will begin their two-year terms of service immediately following the NFDA International Convention & Expo, October 25-28 in Boston, Mass.

Ennis has more than 20 years of experience in funeral service as both a licensed funeral director and embalmer, and a mortuary science educator. He currently serves as Alabama's representative on the NFDA Policy Board, has served on NFDA's Professional Development Committee since 2007 and is a regular participant in NFDA advocacy, leadership and convention activities. Ennis is the past president of the Alabama Funeral Directors Association.

Mortimore, a third-generation funeral director, has 23 years of experience in funeral service and is actively involved in his profession on the national,

state and local levels. He currently serves as Wyoming's representative to the NFDA Policy Board, and is a past member of the Wyoming Funeral Directors Association Board of Directors and served as the organization's secretary/treasurer.

Governor Reappoints Smith to State Board

Among recent appointments by **Gov. Mike Beebe** to boards and commissions:

Tony Smith, Glenwood, reappointed to the State Board of Embalmers and Funeral Directors; appointment expires June 1, 2012.

VA Issues Final Rule On Headstones

The Veterans Administration (VA) has issued a final rule that amends regulations concerning headstones and markers furnished by the government through the VA's headstone and marker program.

It updates ordering procedures for headstones and markers and provides instructions for requesting the addition of a new emblem of belief to VA's list of emblems available for inscription on government-furnished headstones and markers. Additionally, this final rule establishes

criteria to guide VA's decisions on requests to add new emblems of belief to the list.

The new rule went into effect on July 1, 2009. A complete copy of the new rule along with explanatory comments can be found at www.nfda.org.

If you have questions about the new rule, contact Lindee Lenox, director, Memorial Programs Service, Office of Field Programs, National Cemetery Administration, Department of Veterans Affairs, at (202) 501-3100.

Guidelines Released By CDC for H1N1

On May 28, the Centers for Disease Control and Prevention (CDC) released "Post-Mortem Care and Safe Autopsy Procedures for Novel H1N1 Influenza" guidelines.

While the guidelines specifically refer to precautions that should be taken during autopsies, funeral directors should review the recommendations and adopt the procedures and processes that are appropriate for their funeral home. General information about H1N1 flu can be found at www.cdc.gov/h1n1flu/ and funeral service-specific information can be found at www.nfda.org.

Funeral directors should review the recommendations and adopt the procedures and processes that are appropriate for their funeral home.

POLICY BOARD REPORT

Policy

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membership in NFDA, but in a profession similar to or connected with the death-care profession, could apply to become an Allied member of NFDA. All applications for Allied membership would require specific approval by the Executive Board of NFDA, and the Executive Board has promised to make local inquiries among our members before any approval is granted.

The potential types of people that might apply could be educators, suppliers, health-care workers, hospice workers, etc.

It appears that the intent behind this expanded membership is to formally recognize the various death-care related vocations that many of us come in contact with on a fairly regular basis.

It is important to note that the Allied member would not have any voting capacity within NFDA nor could they serve in any elected position within the NFDA leadership.

As I mentioned, this matter evoked quite a bit of discussion, mostly favorable and eventually the resolution was given a favorable recommendation by the Policy Board to give to the formal House of Delegates meeting at our upcoming annual convention in Boston. (The actual resolution passed by a vote of approximately 40 to 10.) The majority of those expressing concern and voting against were the smaller states in the northeast area of the country – Vermont, New Hampshire, Maine, etc.

I voted in favor. My thinking is that we should generally trust the judgment of our elected national leadership unless our group has strong feelings to the contrary. I have discussed this issue with our AFDA Board and will discuss it again at our board meeting before the annual NFDA meeting. If you would like more information, or if you have any concerns about this matter, please feel free to contact me or any member of the AFDA Board.

Thank you again for the privilege of representing you in this area of our profession.

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BACK TALK

"I keep saying that the sexy job in the next 10 years will be statisticians. And I'm not kidding."

- Hal Varian, chief economist at Google.

"IN ARKANSAS, IT WAS A LEGAL ISSUE OF FOLLOWING OUR CONSTITUTION, BUT THERE'S A REASON WHY ALL THESE OTHER STATES DON'T ALLOW PAYDAY LENDING - IT'S INHERENTLY PREDATORY. CHARGING 300 PERCENT, 400 PERCENT AND EVEN HIGHER INTEREST RATES IS, AS OUR SUPREME COURT ACCURATELY NOTED, BOTH DECEPTIVE AND UNCONSCIONABLE."



— **Arkansas Democratic Party Chairman Todd Turner**, an Arkadelphia attorney who represented dozens of payday lending victims in cases that ultimately led to last year's high court ruling, said as opponents of payday lending in Arkansas announced Aug. 11 that the last such business charging high interest for short-term loans had left the state.

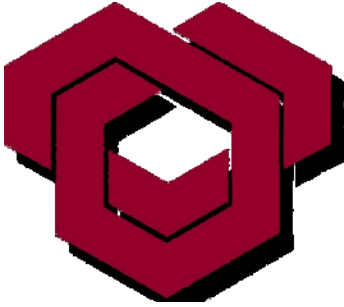
"We'll be better, we'll execute better in all three areas of the game. How many wins that comes out to is yet to be seen."

— **Arkansas Coach Bobby Petrino**, vowing at SEC Media Days that the Razorbacks will be better in 2009.

"My mother's motto was, 'If it's not done in 20 minutes, it's not dinner.' "

— Meryl Streep, who plays celebrated cookbook author and TV icon Julia Child in the film "Julie & Julia" on growing up in a household that didn't involve a lot of cooking from scratch.





**The Newsletter
of the
Arkansas Funeral
Directors
Association**

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MARK YOUR CALENDAR FOR THE AFDA

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DEC. 6-7 IN LITTLE ROCK



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