

Once again, the Federal Trade Commission has published a useless-to-the-public press release about how many funeral homes they found violating the law during their undercover investigations. Notice that none of the funeral homes in the cities listed are identified so you, Mr. and Ms. Consumer, cannot make an informed choice about avoiding businesses that don't play fair with their customers. That's because the FTC agreed to let the National Funeral Directors Association run the Funeral Rule Offender's Program (educational for Rule violators) in exchange for anonymity. Sweet deal, huh?

For what it's worth, here's the FTC release.

FTC Conducts Undercover Inspections of Funeral Homes in Eight States to Press Funeral Homes to Comply with Consumer Protection Law

FTC's Funeral Rule Requires Funeral Homes to Provide Price Lists to Consumers

Investigators working undercover in eight states detected significant violations of Federal Trade Commission consumer protection requirements in 23 of 127 funeral homes they visited during 2012.

The FTC conducts undercover inspections every year to make sure that [funeral homes are complying with the agency's Funeral Rule](#)

. The Rule, issued in 1984, gives consumers important rights when making funeral arrangements. Key provisions of the Rule require funeral homes to provide consumers with an itemized price list at the start of an in-person discussion of funeral arrangements, as well as a casket price list before consumers view any caskets. The Rule also prohibits funeral homes from requiring consumers to buy any item, such as a casket, as a condition of obtaining any other funeral good or service. By requiring itemized prices, the [Funeral Rule enables consumers to compare prices and buy only the goods and services they want](#)

Funeral homes with significant violations can enter a training program designed to increase

compliance with the Funeral Rule. The three-year program is known as the Funeral Rule Offenders Program (FROP), and is an alternative to an FTC lawsuit that could lead to a federal court order and civil penalties of up to \$16,000 per violation. It is run by the National Funeral Directors Association and provides participants with a legal review of the price disclosures required by the Funeral Rule, and on-going training, testing and monitoring for compliance with the Rule. In addition, funeral homes that participate in the program make a voluntary payment to the U.S. Treasury in place of a civil penalty, and pay annual administrative fees to the Association.

FTC inspections during 2012 encountered varying levels of compliance:

http://www.ftc.gov/resources/images/bullet_dash.gif); margin-left: 3em; vertical-align: middle; font-family: Arial, Helvetica, sans-serif; font-size: 12px; line-height: 14px;">

- In Everett, Washington, 4 of the 11 funeral homes inspected had significant violations;
- In Baltimore, Maryland, 1 of the 9 funeral homes inspected had significant violations;
- In Kansas City, Kansas/Missouri, 1 of 21 funeral homes inspected had significant violations.
- In Bayonne and Jersey City, New Jersey, 3 of 26 funeral homes inspected had significant violations.
- In Montgomery and Opelika, Alabama, 2 of 10 funeral homes inspected had significant violations.
- In the McAllen, Texas area, 4 of 18 funeral homes inspected had significant violations.
- In Brownsville and Harlingen, Texas, 8 of 21 funeral homes inspected had significant violations.
- In Denver, Colorado, 1 of 11 funeral homes inspected had significant violations.

All but one of the funeral homes with significant violations have entered the NFDA's FROP program, and the one that has not remains under investigation. The names of homes that have entered FROP are not released under the terms of the FROP program, and the FTC does not identify businesses under investigation. In addition, the FTC identified 43 funeral homes, within the eight states, with only minor compliance deficiencies. In such cases, the FTC contacts the funeral home and requires it to provide evidence that it has corrected the problems. Since the FROP program began in 1996, the FTC has inspected nearly 2,700 funeral homes, 427 of which have agreed to enter the compliance program.

The FTC educates consumers in English and Spanish about their rights under the Funeral Rule, and provides guidance to businesses in how to comply. For more information read [Shopping for Funeral Services](#) and [Complying with the Funeral Rule](#)

The Federal Trade Commission works for consumers to prevent fraudulent, deceptive, and unfair business practices and to provide information to help spot, stop, and avoid them. To file a complaint in English or Spanish, visit the FTC's online [Complaint Assistant](#) or call 1-877-FTC-HELP (1-877-382-4357). The FTC enters complaints into Consumer Sentinel, a secure, online database available to more than 2,000 civil and criminal law enforcement agencies in the U.S. and abroad. The FTC's website provides [free information on a variety of consumer topics](#)

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