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THE COST OF DEATH

Ohio law is very clear on the handling of funeral services

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By Anthony Gottschlich
Staff Writer

Monday, June 04, 2007

Funeral director Dean Rogers couldn't believe his eyes.

The Ohio Board of Embalmers and Funeral Directors had fined Rogers \$2,500 for using a person without a funeral director's license to sell "pre-need" funeral contracts, agreements under which consumers pay today's prices for a future funeral.

"Man, oh man, a black mark on my funeral home," Rogers, 56, of Rogers Funeral Home in Trotwood and New Lebanon remembers thinking to himself in March. "That's just something we're not even close to being used to."

Ohio law prohibits anyone other than a licensed funeral director to solicit, sell, arrange or conduct funeral services.

Life insurance agents can sell policies to cover funeral expenses, but they can't do so on behalf of a particular funeral home unless they're also licensed funeral directors, according to the Ohio Attorney General's Office.

Yet despite the law, the practice of so-called "unlicensed funeral directing" is commonplace across Ohio, according to interviews with funeral directors and state funeral board officials.

"I see it all the time," said Cleveland funeral director Gregg Zamborsky, who has complained to the state funeral board, the Ohio Attorney General's office and Ohio Inspector General about the practice. "Why should the consumer pay top dollar for a professional service when they are being solicited by an imposter?"

The danger, Zamborsky said, is that unlicensed funeral directors don't have the expertise involved with funeral planning and funeral laws to handle such matters. Mistakes can lead to botched funeral plans, devastated families and "tremendous" liability to the funeral home, he said.

Rogers said an insurance company convinced him to use an insurance agent to help him sell pre-need funeral contracts. He said he hasn't used the agent since April 2003, and he didn't realize it was illegal until the board fined him in March.

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"It's like 12 guys speeding down the highway and I'm the one they stop," Rogers bemoaned. "What about those other 11 guys?"

A look at the series

The Dayton Daily News explores the death care business — its prices, practices and Ohio's laws governing the industry.

Sunday, June 3: Prices. We look at what area funeral homes charge for their services, how to shop for a funeral and what you should know about funeral laws and your rights.

Monday, June 4: Regulation. Funeral homes across Ohio use insurance agents to solicit and sell pre-need funeral contracts. But Ohio law says only licensed funeral directors can do this. What's the state doing about it? Also, preplanning a funeral may be a good idea, but critics say prepaying isn't.

Tuesday, June 5: Options. You don't have to spend thousands of dollars to depart with your loved ones.

Video

- > [Funeral Homes: See the front and back rooms of a funeral home](#)
- > [Cremation: Gaining popularity in area](#)
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