



Senate passes Schaffer's funeral act

COLUMBUS - The Ohio Senate has overwhelmingly approved Senate Bill 196, legislation sponsored by State Sen. Tim Schaffer (R-Lancaster) that seeks to better protect all Ohioans when making pre-need funeral arrangements.

State Rep. John Schlichter has sponsored companion legislation, House Bill 282, in the Ohio House.

"SB 196 will provide protections to customers who choose to purchase pre-need funeral contracts, and at the same time, ensure the industry is not overburdened with regulations that may cause them to cease offering their products to Ohioans hoping to plan ahead," Schaffer said.

Pre-need funeral arrangements allow individuals to make plans with their loved ones prior to their deaths, thereby helping to alleviate the stress of making the arrangements during the grieving process, and, in some cases, saving costs, as they allow families to lock in today's prices.

Unfortunately, paying upfront for these services has opened the door for some to take advantage of grieving families. The problem is perhaps best exemplified in the recent case of a Pickaway County funeral home director who, over the course of a 10-year period, stole nearly \$1.1 million from hundreds of area families.

Under SB 196, increased consumer disclosure is required when an individual purchases pre-need funeral services, including: how it is funded; revocation rights; under what circumstances a consumer can transfer pre-need arrangements to another funeral home; that the consumer is entitled to receive price information in accordance with the Federal Trade Commission Funeral Rule; and that the insurance company or trustee that receives monies pursuant to a pre-need funeral contract is required to notify the consumer in writing when monies are received.

Schaffer's legislation also would expand the authority of the Ohio Board of Embalmers & Funeral Directors to ensure that individuals are able to recover the cost of their pre-need contract if a funeral home is found to have engaged in fraud or other criminal activities that preyed upon the consumer. Current law prevents the state from being able taking control of a funeral home's assets when a crime is committed, but the provisions in SB 196 would effectively address this issue.

SB 196 has earned the support of the Ohio Funeral Director's Association, the Ohio Board of Embalmers and Funeral Directors, the Funeral Consumer's Alliance of Central Ohio, the Ohio Department of Insurance, Assurant, and many more.

"We are still working with these interested parties to make these consumer protections stronger, and will continue to do so as the bill moves forward in the legislative process," Schaffer stated.

Having been passed by the Senate, SB 196 will now be sent to the Ohio House for further consideration.

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