

2627 *Jefferson Memorial*
Funeral Home, Inc.

Jan B. Jefferson
Supervisor

301 Curry Hollow Road • Pittsburgh, Pennsylvania 15236 • 412/655-4501

September 24, 2007

Independent Regulatory Review Commission
Attn. John Jewett
333 Market Street, 14th Floor
Harrisburg, Pa. 17101

Via email: irrc@irrc.state.pa.us and jjewett@irrc.state.pa.us

Reference # 16A-4815 (preneed funeral arrangements)

Dear Mr. Jewett,

I submit to you a copy of the letter I sent to the State Board of Funeral Directors adamantly opposing the Proposed Pre-Need Regulation #16A-4815. Though the proposed regulations are untenable in their entirety I have detailed specific objections in my attached letter. I have also enclosed the comments of Attorney James J. Kutz dated September 21, 2007 written on behalf of the Pennsylvania Cemetery, Cremation and Funeral Association to be incorporated as part of this comment.

As a simple summary of the reasons these regulations should not be approved by IRRC:

- There is no documented need for these regulations,
- The regulations exceed the statutory authority granted by the funeral law,
- This is an attempt to "legislate" by regulation,
- This is an attempt to circumvent a Commonwealth Court decision by Judge Dan Pellegrini,
- This ignores Social Security SSI qualifications that exempt consumer funds paid on pre-need contracts and will invalidate the consumer protections therein,
- These regulations violate my Constitutional rights by regulating that I may not have ownership interest in another firm involved in the sale of death care products. This is NOT prohibited in the underlying law.
- The only plausible reason for these regulations to be promulgated is create economic protectionism for funeral directors who do not have the energy, desire or ability to compete openly in the pre-need market place.

For all of these reasons IRRC should not approve these regulations!

Sincerely,

Harry C. Neel
President

Enclosures

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REVIEW COMMISSION

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