

**Shoemaker
Funeral Home, Inc.**

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Richard L. Shoemaker, *Supervisor*



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INDEPENDENT REGULATORY
COMMISSION



49 N. Walnut Street • Blairsville, PA 15717 • 724/459-9115

November 9, 2009

Dear Mr. Chairman,

This letter is in regards to Regulation 16A-4816 which has been proposed by the State Board of Funeral Directors specifically to address concerns raised in the federal court case, Walker v. Flitton, 2005. The Walker case did not overrule Pennsylvania statute or case law which states that only a license funeral director can sell or offer to sell preneed services and merchandise. At the courts suggestion, Regulation 4816, helps to define what activities by unlicensed employees are permissible.

The state law has already been tested on the issue of unlicensed activity and it was upheld in appellate courts that only a licensed funeral director can sell or offer to sell preneed services to consumers. In two independent studies, consumers have overwhelmingly supported the fact that only licensed funeral directors should be able to arrange and pre-need or at-need funeral service. (2005-77.2% and 2009-87.3%) The largest group of seniors in PA, AARP, also supports Regulation 4816.

It is our intention to show support for Regulation 16A-4816. Thank you for your time.

Sincerely,

Richard L. Shoemaker – Licensed Funeral Director/Supervisor
Richard K. Shoemaker II – Licensed funeral Director
Meghan L. Radkowski – Licensed Funeral Director