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BUCKS COUNTY FUNERAL DIRECTORS ASSOC.

November 11, 2009

Mr. Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17101

INDEPENDENT REGULATORY
REVIEW COMMISSION
2009 NOV 16 AM 10:28

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Dear Chairman Coccodrilli:

The members of the Bucks County Funeral Directors Association are asking for **your support**, along with the Commission, of **Regulation 16A-4816** as proposed by the Pennsylvania State Board of Funeral Directors (State Board). This regulation addresses the concerns stated in the Walker vs. Flitton federal court case.

The case of Walker etc. **did not overrule** the Pennsylvania Funeral Directors Law which states that only a licensed funeral director can sell or offer to sell pre-need funeral services and merchandise incidental thereto as well as cremation services. Reference Ferguson vs. State Board of Funeral Directors, 768 A.2d 393 (PA Cmwlth 2001) and Cornerstone Family Services vs. BPOA, 802 A2d 37 (PA Cmwlth 2002) cases.

Public meetings were held by the State Board during a four year period to gather input by all interested parties prior to promulgating **Regulation 16A-4816** .

Two independent studies of consumers support that only licensed funeral directors should be able to arrange pre-need and at-need funeral and cremation services by a large majority. Results of the 2005 study was 77.2 % and the 2009 study was 87.3 %. The AARP supports **Regulation 16A-4816**.

Regulation 16A-4816 , as written, addresses the need of the profession to protect the consumers of the Commonwealth and also preserves the integrity of the funeral director's license.

Sincerely,

William Wagner

William Wagner, President

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