

#2639

# The Philadelphia Alliance

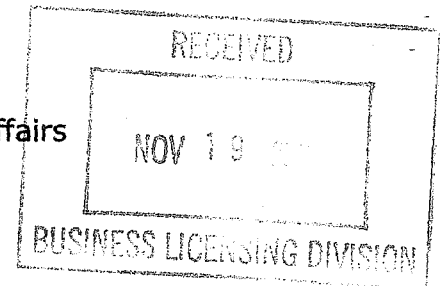
Representing Community Providers for People with Mental Health, Mental Retardation and Chemical Dependency Needs.  
One Winding Dr., Monroe Bldg., Suite 201 • Philadelphia, PA 19131 • Tel. 215.877.6400 • Fax. 215.877.4748 • www.philalliance.org

RECEIVED  
2007 NOV 29 PM 1:56

November 14, 2007

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Michelle T. Smey, Administrative Officer  
State Board of Funeral Directors  
Bureau of Professional and Occupational Affairs  
Commonwealth of Pennsylvania  
P.O. Box 2649  
Harrisburg, PA 17105-2649



Re: Proposed Regulations  
**#16A-4815** (Pre-Need Funeral Arrangements); and  
**#16A-4816** (Pre-Need Activities of Unlicensed Employees)

Dear Ms. Smey and Members of the Board:

The Philadelphia Alliance of specialized agencies is a professional organization of 42 provider agencies in Philadelphia that serve more than 50,000 people in Pennsylvania with needs related to mental retardation, mental illness, and chemical dependency.

I am writing you today on behalf of our members to express our opposition to the regulations proposed by the Board regarding Pre-Arranged Funerals and the use of unlicensed individuals for the sale of prearranged services. The regulations, as proposed, threaten to eliminate the willingness of funeral directors to provide pre-planned services and restrict the ability of consumers to obtain affordable prearranged funerals.

The proposed regulations would:

- (1) Require a licensed funeral director to conduct all related activities personally;
- (2) Burden the funeral director with time consuming and costly quarterly reporting;
- (3) Force the funeral director to allow all contracts be transferable at the discretion of the consumer without addressing the irrevocable nature of such arrangements, [Maintaining the irrevocability of pre-need funds is very important for income and asset determinations in Social Security or MA programs.]; and
- (4) Require notification of every customer regarding the ability to transfer the contract in the event of a change in ownership. By placing these unnecessary burdens on funeral directors, you would be devaluing pre-need funeral planning, which a significant segment of the population wants and values.

Jeffrey Wilush  
President

Denise Brown  
President-Elect

Michael Link  
Vice President

Jerry Skillings  
Secretary

Paula Cullinan  
Treasurer

Sharon Kauffman  
Immediate Past-President

Tim Wilson  
Executive Director

Barber National Institute

CareLink Community Support Services

Carson Valley School

Catholic Social Services  
Center for Autism

Children's Crisis Treatment Center

Children's Services, Inc.

Community Integrated Services

Devereux Community Services of Phila.

Elwyn, Inc.

EMAN Community Living, Inc.

Gaudenzia, Inc.

Horizon House, Inc.

Intercultural Family Services, Inc.

JEVS Human Services

Jewish Family & Children's Services

KenCCID

Ken-Crest Services

Lynch Community Homes

Mental Health Assoc., SE PA

NorthEast Treatment Centers

Northern Home for Children & Family Services

PDDC/ARC

Pennsylvania Mentor

Philadelphia Consultation Center

Philadelphia Health Management Corp.

Philadelphia Mental Health Center

Philadelphia OIC

Programs Employing People

Quality Progressions

Resources for Human Development, Inc.

Self Help Movement, Inc.

Special People in Northeast, Inc.

St. John's Community Services

Step-By-Step

Tabor Children's Services

The Association for Independent Growth, Inc.

The Salvation Army

United Cerebral Palsy Association of Phila.

Walker Memorial Training Center

Wedge Medical Center

Wordsworth Academy

As service providers for individuals with disabilities, our goal is to provide independence and dignity during the lifetime of these individuals. Additionally, there is a moral obligation to these people and those who care for them to provide the same dignity upon their death. Through prearrangement plans an individual's team, along with the individual with disabilities and their families, are able to plan the service that they want. Through the pre-payment plans, what was once impossible for the people we support is now a reality.

As the Executive Director of the Philadelphia Alliance, I am deeply concerned about the insensitivity regarding how individuals with disabilities (often uninsurable) will be laid to rest under these regulatory changes. As a potential customer, whose parents have prearranged their funerals, I am alarmed that the Board would propose regulations that would limit my ability to do the same.

The members of The Philadelphia Alliance are puzzled why the State Board of Funeral Directors would propose regulations that would restrict access to prearranged funerals. It is difficult to see how these regulations protect the public.

I thank you for reviewing our concerns; and I encourage you to reevaluate both the need for and the effect of these proposed regulations, and do so with an eye on protecting the public by allowing free competition and the ability to make informed, unemotional decisions. I am happy to discuss the concerns expressed here at public hearings on the regulations or at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Tim Wilson". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Tim Wilson  
Executive Director