Funeral Scams
Watch Out for Bad Faith Actions

Unfortunately, some funeral homes try to take advantage of customers. Planning a funeral may be a very emotional time for you. It’s important to know your rights so you can avoid paying thousands of extra dollars for goods and services that are too expensive, falsely advertised, or simply unnecessary. This is not legal advice. Please consult an attorney about your particular

**HOW CAN I AVOID SCAMS?**

“Insist on the Lists.”

Funeral homes are required to give you an itemized list of everything they sell. That way, even if they try to upsell you on only their most expensive caskets and package services, you will be able to choose something more realistic to what you really want and can afford. The funeral home must give you three pricing lists:

1. All goods and services offered at the funeral home.
2. All caskets offered at the funeral home. They may hide their simpler caskets or keep them out of view.
3. All grave liners and outer burial containers offered in the state of Maryland.

Ask to see all three lists. Often funeral homes will just offer several expensive package options, knowing that their customers will pick one of these. Don’t fall for “deals” that reduce the price of funeral homes’ caskets in a promotional package. The funeral homes make up the difference by increasing a director’s fee

**HOW DO I CHOOSE A FUNERAL HOME?**

- Shop around and compare pricing. Funeral homes are required to give you pricing information over the phone if you ask. You do not have to give them any personal information first. Ask for their ‘basic fee’, and any other prices you want to know.
- Check if the funeral home is licensed, and if that license is current. You can do this with the Maryland Mortician Board at (410) 764-4792 or at [http://health.maryland.gov/bom/](http://health.maryland.gov/bom/)
- Avoid prepaying for a funeral because thousands of people lose money in services that were paid for in advance but never provided.
- If you’re thinking of signing a pre-need contract with the funeral home, make sure it includes all the goods and services you will be paying for. Consider asking for it to be explained face-to-face, and ask for it to be signed by the director.

**KNOW YOUR RIGHTS!**

1. The most important thing to know is that a funeral home cannot make you pay for anything beyond their basic fee, which covers services, facilities, and coordinating the funeral. They are not allowed to have any ‘non-DECLINABLE fees’ beyond the basic fee:
   - You do not have to buy one of their caskets or urns. It will almost certainly be cheaper for you if you can

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**KNOW YOUR RIGHTS!**

- provide your own. The funeral home cannot refuse your casket or urn, or make you be there for its delivery.
- Maryland Law does not require **embalming**. The funeral home cannot make you pay for this, unless you require extended viewing. If you don’t want embalming, ask for refrigeration.
- Maryland Law does not require **caskets for cremation**. Instead, ask about alternative containers. They must provide a list of what’s available.
- If the funeral home insists that some additional service is mandatory, they are required to produce a written explanation of the law.

2. As next of kin, you should also know your **basic rights regarding the body** of your loved one:
   - Funeral establishment or crematory must maintain the body in complete coverage by drape or sheeting, hidden from the public view.
   - Funeral homes cannot cremate, examine, or embalm a body without permission from next of kin or authorized personnel.
   - Funeral homes cannot hold a body for ransom by making demands to the family to pay their bill in full before identification, viewing, embalming, cremation, or burial take place.
   - Funeral homes can refer families unable to afford services to the Anatomy Board, as long as it has been less than 72 hours since death. The Anatomy Board doesn’t charge a holding fee for storage for the first 72 hours, afterwards it is $25/day. The Anatomy Board number is 410-547-1222.

3. Funeral homes may not mislead you with respect to the preservation of the body. They cannot make statements that certain goods or services delay decomposition of body for an indefinite time.

**WHAT CAN I DO?**

1. You may cancel the contract for funeral goods and services or transfer them **at any time**:
   - If you cancel before you need the services, you receive a full refund of your money paid plus any interest earned.
   - If you have already started receiving services from the funeral home, the refund may depend on how much work the funeral home has already put into planning the funeral.
   - You may cancel the purchase of **casket** at any time before it’s actually needed for use and receive a full refund with interest.
   - If arrangement was in an irrevocable trust, then the money in the trust is transferred when you make new arrangements with a new funeral home.

2. You can file a complaint against a funeral home at: