

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

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House Bill 1931

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House Judiciary Committee

Main Capitol Building
Minority Caucus Room
Harrisburg, Pennsylvania

Wednesday, September 3, 2008 - 10:00 a.m.

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BEFORE:

Honorable Thomas Caltagirone, Majority Chairman
Honorable James Harold
Honorable Deberah Kula
Honorable Kathy Manderino
Honorable John Pallone
Honorable Sean Ramaley
Honorable Don Walko
Honorable Ron Marsico, Minority Chairman
Honorable Craig Dally
Honorable Will Gabig
Honorable Glen Grell
Honorable Carl Mantz
Honorable Bernie O'Neill

IN ATTENDANCE:

Honorable Tim Solobay

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1 ALSO PRESENT:

2

 David McGlaughlin
3 Majority Senior Research Analyst

4

 Kurt Bellman
5 Majority Research Analyst

6

 Jetta Hartman
7 Majority Committee Sec./Leg. Asst.

8

 Michelle Moore
9 Minority Admin. Asst./Committee Sec.

10

 Kelly Zambito
11 Minority Committee Constituent Writer

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1 CHAIRMAN CALTAGIRONE: I would like
2 to start the hearing that's on House Bill 1931.
3 And if the members would please introduce
4 themselves, and staff, starting from my right.
5 Sean.

6 REPRESENTATIVE RAMALEY: Thank you,
7 Mr. Chairman. Good morning. Sean Ramaley,
8 Beaver and Allegheny counties, 16th Legislative
9 District.

10 MR. BELLMAN: Kurt Bellman, Judiciary
11 Committee staff.

12 REPRESENTATIVE KULA: Deberah Kula,
13 52nd District, Fayette and Westmoreland
14 counties.

15 REPRESENTATIVE MANDERINO: Good
16 morning. Kathy Manderino, 194th District,
17 Philadelphia and Montgomery counties.

18 REPRESENTATIVE WALKO: Don Walko,
19 Allegheny County.

20 MR. McGLAUGHLIN: Good morning.
21 David McGlaughlin, Judiciary Committee staff.
22 Thank you.

23 REPRESENTATIVE MANTZ: Carl Mantz,
24 187th Legislative District straddling Berks and
25 Lehigh counties.

1 REPRESENTATIVE SOLOBAY: Tim Solobay,
2 48th Legislative District, not a member of the
3 committee but the prime sponsor of the bill
4 being discussed today.

5 CHAIRMAN CALTAGIRONE: Tom
6 Caltagirone, 127th District, Reading in Berks
7 County. Co-Chairman.

8 REPRESENTATIVE MARSICO: Ron Marsico,
9 105th Legislative District here in Dauphin
10 County.

11 REPRESENTATIVE GABIG: Will Gabig,
12 199th Legislative District in Cumberland County.

13 REPRESENTATIVE O'NEILL: Bernie
14 O'Neill, the 29th Legislative District from
15 Bucks County.

16 REPRESENTATIVE GRELL: Good morning.
17 Glen Grell, 87th District, Cumberland County.

18 CHAIRMAN CALTAGIRONE: And my dear
19 friend failed to mention that he's also the
20 Chairman of this committee. So I don't refer to
21 him as Republican chair and I don't refer to
22 myself as the Democratic because the issues that
23 we deal with I think transcends the politics of
24 this institution.

25 REPRESENTATIVE MARSICO: Right.

1 CHAIRMAN CALTAGIRONE: And Ronnie and
2 I have worked very, very well this Session, and
3 I want to compliment him about it.

4 REPRESENTATIVE MARSICO: Thank you,
5 Mr. Chairman.

6 CHAIRMAN CALTAGIRONE: Thank you. At
7 this point, I would like to turn it over to
8 Representative Solobay on this piece of
9 legislation.

10 REPRESENTATIVE SOLOBAY: Thank you,
11 Mr. Chairman. And, first off, I would like to
12 thank both you and Chairman Marsico for allowing
13 this bill to come forward to your committee
14 today that, basically, it's amending Title 20, a
15 bill that has been in place.

16 And we are asking the committee to
17 consider this piece. It will allow for an
18 increasing of the figure that both funeral
19 directors and family members would be allowed to
20 receive back from financial institutions when a
21 member in their family has passed, and it will
22 allow for increased costs, expenditures by those
23 families, to be able to take care of the
24 situation of their loved one during the course
25 of the funeral.

1 I am going to leave the majority of
2 the professional testimony to those
3 professionals who are with us here today, and I
4 would just ask for a -- I know it's not a voting
5 meeting to bring the bill out but an
6 informational hearing, but I would hope that in
7 the waning days of our legislative Session that
8 it may receive an opportunity to come out of
9 committee and be voted on the House Floor and
10 then sent over to the Senate.

11 And if not acted upon in this
12 legislative Session, we would definitely bring
13 this bill back.

14 Because again, as I said, this is the
15 opportunity to increase the amount of money
16 being able to be paid back to family members and
17 funeral directors. We realize that the costs
18 have increased on everything in this very unique
19 time that family members are dealing with the
20 loss of a member. Aiding in their assistance on
21 the financial end of things during a funeral
22 process would be, I think, something that we
23 need to help these folks out with.

24 So again, thank you for the
25 opportunity to bring the bill out -- or to bring

1 the bill to the attention of your committee.
2 And not being a member of the committee, it's
3 been kind of unique to actually have two bills
4 that have been brought forward into your
5 committee this Session and I appreciate that.

6 CHAIRMAN CALTAGIRONE: Thank you,
7 Tim. I would like to next start the hearing,
8 hearing from John Price, Licensed Funeral
9 Director and Board Member of the Quaker State
10 Funeral Directors Association.

11 MR. PRICE: Mr. Chairman, committee,
12 good morning. Thank you for allowing me to be
13 heard. Miss Manderino, how are you?

14 CHAIRMAN CALTAGIRONE: You can sit
15 down, John. And then just check that to make
16 sure that it's on. I think there is a little
17 button that you press for the microphone.

18 MR. PRICE: Thank you for hearing me
19 in regards to this House Bill 1931. My name is
20 John M. Price, Jr., actually from a facility
21 that's three generations. I am the second
22 generation funeral director at the Price Funeral
23 Home and now the owner, for my father has
24 passed, in the west Philadelphia area, and we
25 have served families since 1952.

1 I am also here representing the
2 Quaker State Funeral Directors Association,
3 which is an Afro-American association which
4 deals with educating and servicing African
5 Americans and minorities within the State of
6 Pennsylvania.

7 The Quaker State Funeral Directors
8 also applaud the efforts of this committee for
9 having the foresight and commitment to help the
10 families we faithfully serve. We are business
11 professionals in a service industry. But we do
12 not service nuts and bolts; we serve actual
13 families, people with feelings. We provide
14 services for neighbors, friends, religious
15 organizations and other clients. So we are in
16 the business field that we are placed to look in
17 the mirror at just ourselves along with everyone
18 else.

19 In serving families, we must have an
20 open ear and be able to have the answers for
21 them. Some of the questions that are generally
22 asked to us that we must and always have to have
23 for the families is, why has the cost of funeral
24 services increased? Why hasn't anyone ever told
25 us about what the cost and what to do in the

1 case of a death? Where was I when grandma
2 passed?

3 These are things that are brought to
4 us on a daily basis. I thought everything was
5 taken care of when we bought the cemetery
6 ground.

7 Now, in our profession, we have had
8 situations where other professionals have come
9 in and tried to invade the territory of the
10 funeral director, selling bits and pieces of
11 funeral service, leaving it on the licensed
12 funeral director to let the families know what
13 really is and where it really has to go.

14 The average cost today of funeral
15 service starts at five thousand, five hundred.
16 I think everyone here is familiar with the old
17 ad on T.V. where Lou Rawls gets up and says, you
18 should have this amount of insurance or that
19 amount of insurance. But in today's market, in
20 budgeting, this is just a start, where you
21 actually have to start from, because
22 professional services and the things that we do
23 daily in this profession has increased just like
24 anything else.

25 What has caused the increase? Oil,

1 just the general cost of living.

2 When we started talking about funeral
3 service and a full service funeral, I was remiss
4 in placing into my testimony, that you have in
5 front of you, what is a full service funeral.

6 We start off with, first of all,
7 meeting the family, listing the things that the
8 family has asked for. Service items is the
9 first things. Those service items start at
10 fifty-five hundred to have a prominent business
11 or just to serve the community. Then you have
12 to go to merchandise. Your average merchandise,
13 you are speaking of between thirty-five and
14 forty-five hundred. There we have approximately
15 nine thousand dollars.

16 Then we go from there with cemetery.
17 If the family has not taken the advanced step
18 and has purchased cemetery in the past, a lot of
19 families are lucky that their parents saw the
20 foresight in purchasing family plots.

21 Then you have the cost of cemetery.
22 In my area, cemeteries can start at about
23 eighteen and go up to three to four thousand
24 dollars. We are talking about crypts that
25 people are now going to, and most families will

1 buy double graves because it does save them and
2 it leaves them with the idea of now I have
3 something for the future.

4 Families will have a traditional
5 funeral service and, by this bill, they will be
6 able to have the funds available. Many of them
7 today go to receive funds from different
8 fiduciary areas--nursing home, banks--and are
9 only allowed to take a certain amount and give
10 the funeral director the permission to take a
11 certain amount.

12 But enabling us to do our job and
13 help the family have full closure is what we are
14 here today sitting about, the closure that
15 families want with the tradition and the ability
16 to say I don't have to wait until next year. I
17 don't have to wait -- As you know, for an
18 estate, you can't get that money until the
19 person is in the ground. Why do they have to
20 put it in there?

21 House Bill 1931 opened up the door
22 for many families to complete their tradition
23 and find closure without having to extend their
24 grief process, and will allow funeral directors
25 to give full service to those at the time in

1 need.

2 The Quaker State Funeral Directors
3 Association also respectfully suggests that the
4 committee consider payment for and by a
5 financial institution and/or patient care
6 account to the funeral director as well as to
7 the surviving family members. Sometimes the
8 surviving family members are sitting on the
9 other side of the country, California.
10 Sometimes they need that to even get here and
11 the funeral director is directed to help that
12 family.

13 We respectfully ask the committee to
14 consider this increase from thirty-five hundred
15 to fifteen thousand for families to be able to
16 give respect to loved ones and have closure with
17 families in a traditional time and for payment
18 to the funeral director as well as to a family
19 member.

20 On behalf of the Quaker State Funeral
21 Directors, I thank this committee for allowing
22 us to come forward, speak. And if there is
23 anything in reference to this bill that we can
24 be of help to you, please feel free to ask me or
25 any of the other members. Thank you.

1 CHAIRMAN CALTAGIRONE: Thank you,
2 John. Would you stay for questions?

3 MR. PRICE: Yes.

4 CHAIRMAN CALTAGIRONE: Are there any
5 questions from members of the committee? Yes.

6 REPRESENTATIVE GABIG: Thank you, Mr.
7 Chairman. Representative O'Neill just pointed
8 out to me that in the bill itself, the proposed
9 bill Representative Solobay has drafted that's
10 before the committee, it requests an increase
11 from thirty-five hundred to ten thousand and you
12 in your testimony have requested an increase in
13 thirty-five hundred to fifteen thousand, I think
14 is the number I just heard you say. And I was
15 wondering, are you in agreement with the ten
16 thousand or do you think it should be more? And
17 if you do think it should be more, then could
18 you explain why?

19 MR. PRICE: Yes, I do feel it should
20 be a little bit more than ten thousand.

21 Our basic figures, as I have enclosed
22 in here, actually brings things to about twelve,
23 thirteen thousand. This bill would be revisited
24 down the line at some point in time, whether it
25 be five years, ten years, as economics go up,

1 too. And for the endeavorment of not having to
2 revisit this at a later date and with knowing
3 the constant cost rise of funerals and services
4 to families, I would suggest the fifteen.

5 REPRESENTATIVE SOLOBAY: If I could
6 add to that, Representative Gabig. When we did
7 prepare the bill, that was the figure we looked
8 at. But in the past couple of weeks, in concert
9 with working with the Funeral Directors
10 Association, we are probably going to have an
11 amendment, that we are going to ask the
12 committee to look at, that would bring that up
13 to fifteen, just to save the committee having to
14 revisit it and having the association to bring
15 it back forward.

16 So the final version or whenever you
17 have your voting meeting, there will be an
18 amendment asking to increase that figure from
19 ten to fifteen thousand.

20 REPRESENTATIVE GABIG: Thank you, Mr.
21 Chairman.

22 CHAIRMAN CALTAGIRONE: Okay. Kathy.

23 REPRESENTATIVE MANDERINO: Thank you,
24 Mr. Chairman. Good morning, Mr. Price.

25 MR. PRICE: Good morning.

1 REPRESENTATIVE MANDERINO: Thanks for
2 being here. This is probably not an appropriate
3 question for you but either for the prime
4 sponsor or maybe for the committee staff to find
5 out. I would be interested in making sure that
6 we get a letter or something from DPW on the
7 effect.

8 I am not quite sure what the personal
9 account is, but I think it is money that is
10 personal assets that someone who, for example,
11 is in a nursing home where Medicaid has paid for
12 their nursing home and the personal account is
13 of the amount of personal assets they are
14 allowed to have. And if that -- So I just want
15 to make sure that, A, that the personal account
16 is personal assets and not state government
17 funds.

18 And then my second question is, for
19 some reason I think that number is a threshold
20 number that is used for other things. Like even
21 if you are not in a nursing home but on Medical
22 Assistance, I don't know if that number is
23 consistent through the law, and I just want to
24 make sure that a change here is something that
25 does not have unintended consequences with

1 regard to M.A. that we haven't thought about.

2 CHAIRMAN CALTAGIRONE: I think we
3 have somebody here that might be able to answer
4 that. Could you identify yourself?

5 MR. HARRIS: I am Brendan Harris, the
6 Deputy Director of Legislative Affairs for DPW.

7 And we are currently still reviewing
8 the bill. But a lot of the concerns that you
9 have, Representative, are some of the ones that
10 we are looking at, to make sure that everything
11 is taken care of. And it does not impact our
12 Estate Recovery Program as it currently is in
13 existence today, so.

14 But we will gladly follow-up with you
15 when we have further information.

16 CHAIRMAN CALTAGIRONE: Okay. Any
17 other questions? I am sorry. John Palone has
18 joined us. Bernie.

19 REPRESENTATIVE O'NEILL: I actually
20 have a question for you. We are pleased that
21 you're here and you stood up.

22 If someone is receiving assistance in
23 a nursing home or something like that, and they
24 do, you know, when they do pass, does DPW allot
25 any money for a burial or anything for that

1 person?

2 MR. HARRIS: There is a burial
3 benefit through the Medicaid program that is
4 there, but it is for very specific categories of
5 eligibility and it is also very limited.

6 REPRESENTATIVE O'NEILL: Sir?

7 MR. HARRIS: It's also very limited
8 in the amount. Because any increase, that that
9 would definitely have to come through the
10 budgetary process.

11 REPRESENTATIVE O'NEILL: All right.

12 CHAIRMAN CALTAGIRONE: Okay.

13 REPRESENTATIVE DALLY: Mr. Chairman.

14 CHAIRMAN CALTAGIRONE: Yes, go ahead.

15 REPRESENTATIVE DALLY: Thank you, Mr.
16 Chairman. I am sorry, I was out of the room
17 when Representative Manderino was asking her
18 questions. But was the concern, the increase of
19 the burial account limit up to ten thousand
20 dollars, is that what the concern was or
21 whatever this bill calls for?

22 REPRESENTATIVE SOLOBAY: The initial
23 bill that we had written does have a ten
24 thousand dollar threshold, but in conversation
25 with the association and knowing sometimes how

1 not difficult but the timeliness of bringing
2 something back up legislatively, to bump up the
3 number.

4 We just thought if we were going to
5 have an amendment, when you bring it up for a
6 voting meeting, to bump that figure up to
7 fifteen, just to save from having to revisit
8 this next year or again or the year after, so.

9 The initial legislation was ten
10 thousand, but we are going to amend it up to
11 fifteen based on the recommendations from the
12 association and just knowing the economics of
13 things right now.

14 REPRESENTATIVE DALLY: And would
15 that -- That payment can only be made from that
16 bank account director to the funeral director,
17 correct?

18 REPRESENTATIVE SOLOBAY: And/or the
19 family members, if they are deemed eligible to
20 receive any of that.

21 REPRESENTATIVE DALLY: So, basically,
22 we are expanding the small estate exception from
23 thirty-five hundred to fifteen thousand?

24 REPRESENTATIVE SOLOBAY: That's
25 correct.

1 REPRESENTATIVE DALLY: Thank you. I
2 think it's a great bill. I do a lot of this
3 work in my private practice, and I can't
4 probably count on two hands how many small
5 estates I have to probate because of the
6 thirty-five hundred dollar limit is just, you
7 know, way, way too low.

8 And also, it helps, you know, pay the
9 funeral expenses. And also, for someone that is
10 on Medical Assistance, it provides the assets
11 that the family needs to provide that person
12 with a proper burial. And I think it's long
13 overdue.

14 CHAIRMAN CALTAGIRONE: Thank you.
15 Any other questions?

16 (No response.)

17 CHAIRMAN CALTAGIRONE: Thank you,
18 sir.

19 MR. PRICE: Again, to the committee,
20 thank you.

21 CHAIRMAN CALTAGIRONE: Thank you,
22 sir. Good job. Donald Deaner, Licensed Funeral
23 Director and current President of Pennsylvania
24 Funeral Directors Association.

25 We have some of the members that have

1 other committee meetings that they have to get
2 to, so the rest of us will be here with you.

3 MR. DEANER: Good morning, Mr.
4 Chairman and members of the committee. My name
5 is Don Deaner and I am the President of the
6 Pennsylvania Funeral Directors Association.

7 On behalf of the eleven hundred
8 funeral firm members of the Pennsylvania Funeral
9 Directors Association, representing more than
10 three thousand Pennsylvania licensed funeral
11 directors, I thank you for the opportunity to
12 testify at this important hearing. I am a sixth
13 generation funeral director. My wife and I own
14 and operate Deaner Funeral Homes of Berlin,
15 Stoystown, and Hooversville. I have been a
16 licensed funeral director for twenty-five years.

17 The Pennsylvania Funeral Directors
18 Association appreciates the committee's efforts
19 to help families make financial concerns a
20 little easier at the worst time of their lives.
21 We also want to thank Representative Solobay for
22 sponsoring House Bill 1931.

23 Funeral directors serve families in a
24 very difficult and personal time. Details which
25 need to be taken care of by family members after

1 a relative's death can be particularly
2 overwhelming during such an emotional time. The
3 first things they do are to contact the funeral
4 director, plan the funeral service and determine
5 the costs. Because only about twenty-five
6 percent of funerals have been prepaid, in many
7 instances, the family's first issue to deal with
8 is how they can pay the costs of the funeral
9 immediately after death.

10 In June 2008, a regular adult
11 funeral, including casket and professional
12 services, cost an average of six thousand one
13 hundred seventy-eight dollars and forty-six
14 cents. That's a 2.59 percent increase over the
15 same period last year, according to Federated
16 Funeral Directors of America.

17 Meanwhile, the average cost of an
18 outer burial container, a vault, was one
19 thousand one hundred fifty-one dollars and
20 twenty-six cents, a 3.4 percent increase over
21 the 2007.

22 Add in the opening and closing of the
23 grave--which can range from one hundred dollars
24 in a rural church cemetery to over one thousand
25 dollars in a metropolitan area--the average cost

1 of an adult funeral, including vault and
2 cemetery charges, comes to seven thousand four
3 hundred and thirty dollars to eight thousand
4 four hundred and thirty dollars.

5 If the family has to purchase a
6 burial site, a monument and monument setting,
7 and holds a reception following the funeral, the
8 total can easily reach ten to twelve thousand
9 dollars.

10 Therefore, we respectfully suggest
11 that the committee consider increasing the
12 amount that can be paid to the family or
13 personal representative after the death of a
14 relative from a deposit account or patient's
15 care account from thirty-five hundred dollars to
16 fifteen thousand dollars to pay for funeral
17 services for their loved one.

18 PFDA suggests raising it up to
19 fifteen thousand dollars so that the legislature
20 does not have to come back in a few years and
21 revisit this issue.

22 The current law states that the
23 banking institution or nursing home can provide
24 up to thirty-five hundred dollars only to family
25 members of the deceased. We would respectfully

1 suggest that the committee consider an amendment
2 be included in House Bill 1931 that allows a
3 funeral director to obtain this money from a
4 deposit account or patient's account because, in
5 many cases, there is no family left, family
6 members are incapacitated, or they are
7 geographically distant.

8 We appreciate your efforts to raise
9 the limit to help families resolve financial
10 matters with respect to a funeral for their
11 loved one and your consideration that a funeral
12 director is allowed to obtain the monies.

13 And we are happy with ten thousand
14 dollars, by the way. Fifteen thousand, we just
15 look at as being a little more realistic down
16 the road here.

17 Thank you again for this opportunity
18 to testify today. The Pennsylvania Funeral
19 Directors Association would be happy to assist
20 the committee in any way you feel is
21 appropriate, and I would be happy to answer any
22 questions you would have.

23 CHAIRMAN CALTAGIRONE: Thank you,
24 sir. Questions? I think you have all gotten
25 the committee pretty well on your side with this

1 issue.

2 MR. DEANER: Thank you very much.

3 CHAIRMAN CALTAGIRONE: Thank you,
4 sir. The last testifier is Theodore J. Beck,
5 Licensed Funeral Director and Past President of
6 the PFDA.

7 MR. BECK: Good morning, Mr. Chairman
8 and members of the committee. My name is Ted
9 Beck, a seventh generation funeral director from
10 Manheim, Pennsylvania. I have been a
11 Pennsylvania licensed funeral director for over
12 twenty-six years, and I own two funeral homes
13 located in Lancaster County that provide
14 services to more than two hundred and fifty
15 families yearly.

16 Professional memberships include
17 local, state and national funeral directors
18 association, and I have been privileged to serve
19 as president on both the local and state level.

20 My service in the state association
21 has been on the Insurance Pre-Need Funeral
22 Funding Committee and the oversight committee on
23 Pre-Need Funeral Trusting. In the past, I have
24 also provided information to the Pennsylvania
25 State Board of Funeral Directors as an expert

1 witness. Currently, I serve our state
2 association as director of our product and
3 services nonprofit corporation.

4 And on the national level, I assist
5 on the Operations Committee and am waiting
6 confirmation to a second national committee on
7 Professional Conduct.

8 Today, I appear before you to speak
9 in favor of House Bill 1931 that provides
10 increased funding by way of payments from
11 decedent's bank, savings account, or patient's
12 care account.

13 In my view, this is a simple change
14 in the total amounts that are in the current act
15 of thirty-five hundred dollars and raising them
16 to an amount that would be near the current
17 realistic funeral costs in today's market of ten
18 thousand to twelve thousand dollars.

19 It appears that this legislation was
20 initially designed for the purpose of providing
21 families the ability to gain access to the
22 decedent's own funds for the purpose of helping
23 to pay for their funeral costs than it would
24 make sense that after many years we would raise
25 the amount to coincide with today's realistic

1 costs.

2 The current law directs that the
3 banking institution or nursing home can provide
4 up to thirty-five hundred dollars but the money
5 can only be paid to family members. I
6 respectfully ask the committee to the consider
7 an amendment to the current law which would add
8 that a funeral director can be paid the monies.

9 In today's society, we encounter a
10 myriad of situations where there are no family
11 members, the survivors are in personal care/
12 nursing homes, or living outside the state and
13 are not involved in the funeral services or in
14 the planning process.

15 I believe that House Bill 1931 is
16 very practical in nature. The bill is asking
17 for an increase so that the decedent's own funds
18 can be used to pay for realistic funeral costs
19 so that there would not be an additional burden
20 for immediate family with the state proceedings
21 or other requirements for a small amount of
22 funds.

23 In closing, I respectfully ask the
24 committee to consider the proposed bill in a
25 positive frame and to think through your own

1 family's and constituents' financial needs as we
2 all face retirement, health concerns and funeral
3 planning in the future.

4 I thank you for this opportunity to
5 testify today, and I would be more than happy to
6 answer any questions you have.

7 CHAIRMAN CALTAGIRONE: One of the
8 things that I was wondering about and I think
9 every one of us here have gone to any number of
10 funerals with family and friends over the years,
11 and in situations where there are funds that are
12 tied up, how long does it ordinarily take the
13 funeral directors to access monies that haven't
14 been paid?

15 Let's say, you have to go through the
16 fire hoops. And I think counsel here can
17 probably attest to the fact that you evidently
18 have to wait to get paid after the service is
19 performed and sometimes that can be a lengthy
20 period of time.

21 MR. BECK: It can be. And --

22 CHAIRMAN CALTAGIRONE: And we are
23 putting out that money up front.

24 MR. BECK: We are, right. And
25 with -- There aren't many professional service

1 providers today, that I know of, where a family
2 can come in and basically plan for services that
3 could be anywhere from eight thousand to ten
4 thousand to twelve thousand dollars, sign an
5 agreement form, walk out the door with no
6 payment down and the funeral home says, well,
7 whenever you are able to get the money together,
8 we are okay with that.

9 Now, there are some funeral homes
10 that will give me or provide a time period of
11 thirty-five days or forty days or sixty days, or
12 in some cases they will place a late payment on
13 top of it only because the state sometimes can
14 take so long.

15 I have waited already anywhere from
16 six to eight months to a year, but, you know,
17 depending upon how difficult it was for an
18 estate to be put together and how complicated it
19 is.

20 But with these simple accounts that
21 are out there of thirty-five hundred dollars and
22 are over the thirty-five hundred dollar
23 threshold, this would make things a lot easier.

24 Because time after time, I am talking
25 to attorneys saying, well, the family is going

1 to have to take it out of the estate to do this;
2 but sometimes there isn't any other funds -- or
3 there isn't enough funds to actually pay for the
4 estate proceedings to take the estate out to get
5 the money and that's the Catch 22.

6 CHAIRMAN CALTAGIRONE: That's
7 interesting. Did you get that, counsel?

8 REPRESENTATIVE DALLY: I agree with
9 everything he just said. And I know it's always
10 been my practice--and I guess the funeral
11 directors would like to hear this out--that we
12 always try to pay the funeral director first,
13 as soon as we get the assets to do that, because
14 of what you just said.

15 But often times you have to -- You
16 know, it takes time even outside of the small
17 estates exceptions. I mean, it takes time to
18 marshal the assets and reduce them to cash to
19 come up with the money to pay the funeral bill
20 with. But that should always be a top priority
21 in the administration of the estates, to make
22 sure that the funeral director is paid, in my
23 eyes.

24 MR. BECK: And if I can add? The
25 other realities of this is the way society is

1 today, where sometimes you don't have all of the
2 children living in the same town. That when you
3 are working with the estates, you may have a
4 daughter that's in Florida, you may have a son
5 that's in California, they happen to come in to
6 help plan for the funeral and be there for the
7 funeral. And then afterwards, off they go. But
8 they are all named as executors. And maybe they
9 do sign-off or they don't sign-off, then it's up
10 to the attorney then to kind of gather everyone
11 together and try to, you know, proceed through
12 that estate.

13 So there are, just with the way
14 society is today, there are so many other
15 variables now in addition to just the estate
16 working through, just where people live.

17 CHAIRMAN CALTAGIRONE: Ron.

18 REPRESENTATIVE MARSICO: Thank you,
19 Mr. Chairman. Actually, a question to
20 Representative Solobay and anyone else that may
21 know the history of this legislation, as far as,
22 when was the last time this was looked at and
23 what are the sentiments over in the upper
24 chamber, let's say, in the House of Lords?

25 CHAIRMAN CALTAGIRONE: You choked me

1 on that one.

2 REPRESENTATIVE MARSICO: Could you
3 respond to that?

4 REPRESENTATIVE SOLOBAY: Right. As
5 far as the last time it was addressed, I am not
6 a hundred percent sure.

7 And, John, I don't know if you know
8 that answer either.

9 REPRESENTATIVE PALLONE: No.

10 REPRESENTATIVE SOLOBAY: Okay. And
11 then I would think as far as our good friends on
12 the other side of the building, I am going to
13 make sure that Senator Tomlinson, who would be
14 very intricate in this conversation --

15 REPRESENTATIVE MARSICO: Yeah.

16 REPRESENTATIVE SOLOBAY: -- would be
17 on board with us.

18 And I can't imagine, again just from
19 hearing the comments that you all have made
20 during the hearing, that they would also
21 recognize the sentiments and the fact that --
22 Well, the fact that it's thirty-five hundred
23 dollars, I've got to believe it's been probably
24 twenty years since this has been looked at,
25 knowing the economics of funerals and the costs.

1 So it's been quite a while.

2 REPRESENTATIVE MARSICO: Well, this
3 is long overdue. And just, obviously, we don't
4 have many days left in this fall Session to
5 address this. I would hope the Chair would
6 bring this up for a vote.

7 CHAIRMAN CALTAGIRONE: I would. I
8 would, yeah.

9 REPRESENTATIVE MARSICO: And then,
10 obviously, it depends on what our friends do on
11 the other side of the building.

12 But I certainly want to thank all of
13 the testifiers for being here today. This is
14 something that the sentiment here I think of the
15 committee is to support this. And we appreciate
16 it. Thanks.

17 MR. BECK: Thank you.

18 CHAIRMAN CALTAGIRONE: Are there any
19 other questions from the members?

20 (No response.)

21 CHAIRMAN CALTAGIRONE: Thank you.
22 This hearing is adjourned. Thank you one and
23 all.

24 (At or about 10:40 a.m., the hearing
25 was adjourned.)

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C E R T I F I C A T E

I, Roxy C. Cressler, Reporter, Notary Public, duly commissioned and qualified in and for the County of York, Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and accurate transcript of my stenotype notes taken by me and subsequently reduced to computer printout under my supervision, and that this copy is a correct record of the same.

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