

THE TOLLING BELL

SUMMER 2009

Odd ends guarantee you'll go down in history

By Joy Korstjens, Cemetery and Funeral Bureau

While it is true that there isn't an "ideal" death, certain dramatic endings are undeniably newsworthy. Cleopatra and her asp are still talked about 2,000 years after the fact, and the search for her tomb is ongoing. The graphic novel and blockbuster movie *300* stylized the brutal end for Spartan King Leonides and his soldiers at the Hot Gates, and made millions of dollars in doing so. A "good" death may be an oxymoron, but an unusually gruesome or novel method of meeting one's end does guarantee notoriety, if nothing else.

Take, for example, the Beer Flood of 1814. It was the dawn of the Industrial Revolution in London, England, and everybody needed a brew after a hard day's work in a factory. Unfortunately for the thirsty souls in St. Giles parish, their Oktoberfest didn't end so happily. The 17th of October in 1814 saw a massive flood of beer sweep away nine victims, as well as two houses.

Not to be left out, America had its own quirky flood deaths in 1919. Unlike the Beer Flood in England, however, this one was stickier. On

January 15, a huge vat of molasses oozed its way through the streets of Boston, ensnaring people and horses alike in its brown, tarry mess. The catastrophe killed more than 20 people and injured more than 100 others, some of them attempted rescuers of the initial victims. (I'll never look at Boston Baked Beans the same way again.)

There are also perplexing burial customs that lead to notoriety. The Capuchin Catacombs of Palermo are one example of a macabre custom that led to increased tourism from the jaded and curious (and Rick Steves' *Europe*, which is where I saw it first on PBS). Located in Sicily, the catacombs date from the 16th century and display the mummified bodies of monks and commoners. Initially reserved for the brothers of the monastery, it

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became a trendy place to spend eternity, and 8,000 bodies were interred there before new interments ended in the 1920s. Embalmers will be particularly interested in the case of Rosalia Lombardo, also known as “Sleeping Beauty.” The 2-year-old girl died of pneumonia in 1920, and her body is so well preserved she looks to be merely napping. The National Geographic Web site (www.nationalgeographic.com) reports that the lifelike preservation was accomplished through the use of formalin, salafia, alcohol, glycerin, and zinc salts.

Lest you thought Bram Stoker or Anne Rice invented the vampire, a Venetian corpse was recently disinterred that had a brick between her teeth. This “Queen of the Damned” was buried with bricked-up jaws to prevent her from feeding and returning to the city to spread the plague, which in all probability killed her.

Don't believe that a wall of molasses could sweep the streets of Boston? Check www.snopes.com, www.wikipedia.com, www.yahoo.com, www.hiddenmyseries.org, or watch Rick Steves *Europe* DVD entitled *Italy's Countryside 2000–2009*.

Welcome new staff

The Cemetery and Funeral Bureau is pleased to announce that we have added four new staff members to our Bureau since the beginning of the year. With the addition of Tamer, Sandra, Erica, and Rafael, we are finally fully staffed. Please join us in welcoming them to DCA, where we hope they will have long and fulfilling careers!

Tamer El Saadany joined the Bureau's Audit Unit after a career as an investment banker in Cairo, Egypt. Arriving in Sacramento in July 2005, his first position with the State of California was as an auditor for the Department of Social Services, where he worked closely with group homes and foster family agencies. In his spare time, Tamer and his son work with their Arabian horses.

Sandra Fuentes is probably the first person you will speak to when calling the Bureau, as she is our new receptionist. One of eight children, Sandra was raised in San Francisco before moving to Sacramento in 1985. A big fan of rocky road ice cream, Sandra also enjoys fishing with

her two sons and daughter near her Bay Area roots in Crockett, CA.

Erica Lee has taken the Bureau's vacant human resources position. Erica comes to us from Folsom State Prison where she worked in the medical department, and her office was an old cell! She worked through riots and one lockdown before deciding to spread her wings and look for a job within Consumer Affairs. Prior to that, she toured with Cirque de Soleil as a box office supervisor for five years. In her spare time, she likes to travel, try out for game shows, and perform karaoke.

Rafael Ixta is the newest auditor to join the Audit Unit. Rafael comes to us from Franchise Tax Board. (Can you say death and taxes?) He is experienced in conducting tax audits and has also audited on behalf of the Political Reform Commission. He is enthusiastic about his new position here at the Cemetery and Funeral Bureau, but admits that the real joy in his life is spending time with his three daughters.

Home funerals discussed on National Public Radio

On the April 30, 2009, episode of *Talk of the Nation*, host Neal Conan led a fascinating discussion titled *In Home Funerals, Families Care for Their Dead*. Contributors to the program included Lisa Carlson, executive director of the Funeral Ethics Organization; Max Alexander, author of the March 2009 Smithsonian article *The Surprising Satisfactions of a Home Funeral*; and Glenn Taylor, owner of Glenn Funeral Home & Crematory in Kentucky.

Alexander had the unfortunate “luck” to experience the death of his father-in-law and his father less than three weeks apart. Two markedly different men, they had polar opposite funerals. Alexander’s father-in-law in Maine had a home funeral followed by cremation, complete with a casket made by family members. Alexander’s father in Michigan had preplanned a complete, traditional funeral followed by burial in a cemetery. Each send-off has supporters and detractors, but Alexander seemed to find more closure in the home funeral of his father-in-law, once he got past the initial discomfort.

Karen, who called into the show from Tucson, AZ, felt that the party held after her parents’ death in 2003 was what they would have wanted it. Her parents, who died within a week of each other, were cremated without ceremony, and then friends and family stopped by the house to pay respects “without a fuss.” Lisa Carlson expanded on the “without a fuss” theme, including the fact that although six states don’t allow the family to act as their own funeral director, a meaningful home experience can still be achieved by (or before) working with the funeral home.

Neal Conan described the process as a hybrid experience, in which certain aspects of death care are handled in the home, and some services

provided are by the funeral home. Another caller, Spencer from southern Utah, spoke of his experience growing up in the funeral industry and of his study to become a funeral director/embalmer himself. He stated that, in his experience, families grieved better when they were involved in the death care process for their loved ones. Glenn Taylor wholeheartedly agreed with this assessment. He felt that families needed something to do at the time of death, and even if the funeral was prepaid, some decisions should be left for the family to make them feel more involved in the process and to give them a greater sense of closure.

When thinking about a funeral, most people assume it will be the “traditional” experience at the funeral home, but the emerging trend of home death care finds some families choosing to do it all themselves. Probably the fastest growing trend is the “hybrid” funeral, where the family takes on some aspects of caring for the deceased, like washing the body or hosting a wake, and leaves other details (such as procuring the death certificate or transporting the body) to the funeral home. In the end, it comes down to personal preference, on the part of the deceased and of their loved ones.

For more information, visit www.npr.org and www.smithsonian.com.



Discover the Victim Compensation and Government Claims Board (VCGCB)

In the third issue of our newsletter, we discovered what the Department of Consumer Affairs (DCA) could do for you. We wanted licensees and consumers alike to know that DCA is more than just the Cemetery and Funeral Bureau. Similarly, we want to make the rest of State government less mysterious and more easily accessible, which is why our fourth issue featured information on the California Department of Veterans Affairs. This, our fifth issue of *The Tolling Bell*, presents the second in a series of articles on other State agencies that impact our licensees and consumers.

The California Victim Compensation and Government Claims Board (VCGCB) offers

numerous services to victims of crime, their families, and survivors. In addition to providing financial assistance for crime victims in some cases, the VCGCB works as an advocate and community resource on behalf of California's victims and their loved ones. In an effort to make these resources easily available to our licensees and consumers, Bureau staff asked VCGCB if they would be willing to provide our readers with answers to the most commonly asked questions relating to funerals and cemeteries. A thank you goes out to Miles Bristow, who provided this material before leaving the VCGCB for a position with the Office of Legislative Counsel.

CALIFORNIA'S VICTIM COMPENSATION PROGRAM CAN HELP WITH FUNERAL EXPENSES

Violent crime can leave its victims physically, emotionally, and financially devastated. If a crime victim is killed, surviving family members may have to pay the funeral and burial expenses. Sometimes they face financial hardship and are forced to ask for community donations.

In this time of need, the State of California has a program that can help. The Victim Compensation Program can pay for funeral and other crime-related expenses of victims of violent crime and their loved ones. In the case of victims who lose their lives as a result of violent crime, the program may pay up to \$7,500 for the funeral, burial, or memorial expenses.

If the deceased had funeral insurance or a pre-need arrangement, these sources of payment must be applied first. Not all funeral and burial expenses can be reimbursed. For example,

hospitality costs, alcoholic beverages, coroner's charges, and telephone calls cannot be paid by the program.

The person responsible for paying for the victim's funeral arrangements should file the application for funeral and burial benefits with the program. The program cannot accept applications filed directly by a mortuary, funeral home, or cemetery. Applications for compensation must be evaluated, and applicants must meet eligibility requirements before payments can be approved.

California has been a leader in providing service to victims of violent crime for more than 40 years. It was the first state to establish a Victim Compensation Program in 1965. Since then, the program has paid nearly \$1.8 billion to help victims of crime. In addition to funeral costs, the program can also pay for other services,

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such as medical and dental care, mental health treatment, rehabilitation, income and support loss, and relocation.

Among the crimes covered are homicide, vehicular manslaughter, robbery, drunk driving, domestic violence, child abuse, and sexual assault and physical assault. To be eligible, victims must be injured or threatened with injury. The program does not cover financial crimes and generally cannot reimburse for property loss.

Victim compensation is not funded by taxpayer dollars, but by fines, fees, and penalties paid by state and federal criminal offenders.

Local resources for crime victims

In addition to the Victim Compensation Program, essential resources are also available at the local level to assist crime victims. County Victim Witness Assistance Center advocates can help victims apply to the program. They may also accompany victims through the criminal justice process, request restitution from offenders, and locate crisis facilities or shelters.

Victim Witness Assistance Centers are often operated by county District Attorney offices. To locate such a center or find out more about the program, visit www.victimcompensation.ca.gov. Call the program toll-free at (800) 777-9229.

Local events mark Crime Victims' Rights Week

This April, California participated in the national observance of Crime Victims Rights Week to show support for victims of crime, their families, and survivors. Victims young and old endure the physical, emotional, and financial trauma of violent crime. Healing the wounds of violent

crime is not easy, but victims do find comfort in knowing California stands beside them.

This year, we marked the 25th anniversary of the federal Victims of Crime Act, which was enacted by President Ronald Reagan in 1984. This historic step forward for victims established the Crime Victims Fund to support local victim programs across the nation and in California.

Victims' march on Capitol

The Victim Compensation and Government Claims Board (VCGCB) and other victim service providers showed their solidarity with crime victims at the Victims March on the Capitol. This 20th annual event was held midday on April 29 on the west steps of the State Capitol.

Local events, vigils, and ceremonies

Community focused organizations throughout California marked Crime Victims' Rights Week with local events. The VCGCB has published a calendar of these special events along with other resources online at www.victimcompensation.ca.gov. Links to more materials from the federal Office for Victims of Crime are also provided.



CONSUMER REMINDER

Cemeteries can set their own rules

We get many phone calls at the Bureau this time of year complaining about rules and regulations established by cemeteries. Many callers are upset because floral offerings have been removed between their visits, or because the cemetery has recently set a policy prohibiting the placement of certain kinds of mementos or the lighting of candles.

Although it may seem insensitive on the part of a cemetery to no longer allow pinwheels or to remove all flowers on Tuesdays, the cemetery has the legal right to do so.

California Health & Safety Code Section 8300 states:

- (a) A cemetery authority may make, adopt, amend, add to, revise, or modify, and enforce rules and regulations for the use, care, control, management, restriction, and protection of all or any part of its cemetery and for the other purposes specified in this article.
- (b) The cemetery authority's power includes, but is not limited to, the following:
 - (1) Restricting and limiting the use of all property within its cemetery.
 - (2) Regulating the uniformity, class, and kind of all markers, monuments, and other structures within the cemetery and its subdivisions, but shall not require, as a condition to the erection of a marker, monument, or other structure within the cemetery, that the marker, monument, or other structure be purchased from or through the cemetery authority.

- (3) Prohibiting the erection of monuments, markers, or other structures in or upon any portion of the cemetery.
- (4) Regulating or prohibiting monuments, effigies, and structures within any portion of the cemetery and provide for their removal.
- (5) Regulating or preventing the introduction or care of plants or shrubs within the cemetery.
- (6) Preventing interment in any part of the cemetery of human remains not entitled to interment and preventing the use of interment plots for purposes violative of its restrictions or rules and regulations.
- (7) Regulating the conduct of persons and preventing improper assemblages in the cemetery.
- (8) Making and enforcing rules and regulations for all other purposes deemed necessary by the cemetery authority for the proper conduct of the business of the cemetery, for the transfer of any plot or the right of interment, and the protection and safeguarding of the premises, and the principles, plans, and ideals on which the cemetery is conducted.

Similarly, a cemetery may decide to no longer allow upright marble monuments, or to close at 2 p.m. instead of 5 p.m. on Sundays. It's a good idea to check with the cemetery periodically to see if policies have changed. That's especially important if you are ordering a marker or planning a visit with out-of-town relatives.

Attention all licensees

Tips for handling renewals

The Bureau reminds you that funeral and cemetery renewals cannot be combined. For instance, if you are renewing an embalmer license at the same time you are renewing a cemetery manager license, you must include a separate check for each. Please do not make copies of a renewal notice; we must receive the original. Separate Part 1 from Part 2, fold along the dotted line between Part 2 and Part 3, and insert in the provided envelope with the Bureau's address visible in the envelope window. Part 1 is for your records; please do not submit it to the Bureau.

For funeral establishments, cemeteries, and crematories, if the information printed on the renewal application is incorrect, please use the appropriate form to submit changes. The forms are found on the Bureau's Web site, www.cfb.ca.gov. Making changes on the renewal application will delay processing.

If you need a duplicate copy of a license renewal, please submit a separate request (do not mail with your renewal). A duplicate request must specify if you need an "original wall" (8½ by 11) or "renewal" license (4 by 8½). The fee for a duplicate license on the funeral side is \$40, and the cemetery side is \$25 per duplicate. Please mail your request for duplicates to:

Cemetery and Funeral Bureau
P.O. Box 989003
West Sacramento, CA 95798-9003

Update on examination workshops

The Bureau thanks all the licensed embalmers who responded to our request for subject matter experts to assist with writing a new embalmer examination. Currently, California is the only state that does not accept the national examination for embalmers as a means to licensure. However, earlier last year we contracted with an outside vendor to conduct an extensive audit of the International Conference of Funeral Service Examining Board's (sciences section) national examination. The audit determined that the examination development and administration procedures were sufficiently consistent with testing standards to be accepted as a valid measure of competencies for entry-level embalmer practice in California.

We had a huge response for all the workshops; unfortunately, each workshop only requires eight licensees. For those of you who were not selected this time, there will be future workshops for embalmers as well as funeral directors, cemetery brokers, cemetery managers, and crematory managers. We completed the last workshop on April 29.

Cat Litral from the Bureau joined the attendees for a celebratory lunch at a favorite local restaurant.



Highlights from November meeting*

The Cemetery and Funeral Bureau met on November 18, 2008, at the Westin Los Angeles Hotel as part of the Professionals Achieving Consumer Trust (PACT) Summit. The PACT Summit, held Nov. 18-21, was presented by the Department of Consumer Affairs and the California Consumer Affairs Association.

The PACT Summit provided an opportunity for Board, Bureau, and Commission members, as well as consumer advocates, law enforcement, and others, to meet in one location to exchange ideas and best practices.

The Summit also provided attendees with the opportunity to:

- 🌱 Attend DCA Board, Committee, and Bureau meetings.
- 🌱 Participate in training workshops and panel discussions designed especially for board members, consumer advocates, and law enforcement.
- 🌱 Participate in a focused discussion on the value of a California professional license.

The Summit enabled participants to establish new channels of communication, share best practices, leverage resources, and build partnerships. This will enhance participants'

ability to gather and share information and to address common issues like workforce shortage and the value of a California professional license.

At the Summit, the Bureau held its first meeting in almost 12 months. Cemetery and Funeral Bureau Chief Rick Wallinder reported on recent legislation. He added that the Bureau is trying to increase communication with consumers and the profession. He pointed to the new CFB newsletter, the redesign of the CFB Web site, and an increase in the number of presentations as evidence of this commitment.

Lisa Moore, Deputy Chief, shared draft language that has been placed in an Omnibus bill (Senate Bill 820) to allow the Bureau to accept the National (Embalmer) Examination as a means to licensure. Currently, California is the only state still administering its own embalming examination.

In response to requirements of SB 1490 (Ducheny, Chapter 401, Statutes of 2006) that the Bureau develop requirements for cemetery maintenance, Bureau staff shared language that the Florida legislature developed concerning cemetery maintenance standards. CFB staff will continue to review the language and set a meeting for 2009 where only these requirements will be discussed.

**This summary is for informational purposes only and is not intended to be viewed as the official minutes of the CFB meeting.*

For vacation, consider a night (or day) at the museum

Planning to take a vacation this summer? Maybe you want to take a trip to the beach or visit Disneyland with the grandkids? How about scheduling a fun and educational busman's holiday to a museum?

The Smithsonian's National Museum of Natural History in Washington, D.C., is hosting *Written in Bone: Forensic Files of the 17th-Century Chesapeake* through February 6, 2011. Maybe it's not the blockbuster movie the grandkids had in mind, but surely you can get them interested in an exhibit that combines CSI with the History Channel and a dash of Indiana Jones. Admittedly, these skeletons don't have adamantium claws, à la Wolverine, but they do tell a fascinating tale of life and death in Colonial America. In addition to the bones, three lead caskets are displayed, along with several reconstructed faces and two life-sized colonists wearing period clothing. Visit www.si.edu for more information.

Anybody in the family love trains? How about our 16th President, Abraham Lincoln? California State Parks (www.parks.ca.gov) is putting on exhibits at various locations around the Sacramento area celebrating *Lincoln's California Legacy*.

The Leland Stanford Mansion is hosting *Walking the Grade: Contemporary Views of the Pacific Railroad* through March 2010. The showing, which includes Chinese railroad worker artifacts, underscores Abraham Lincoln's stout support for the Transcontinental Railroad.

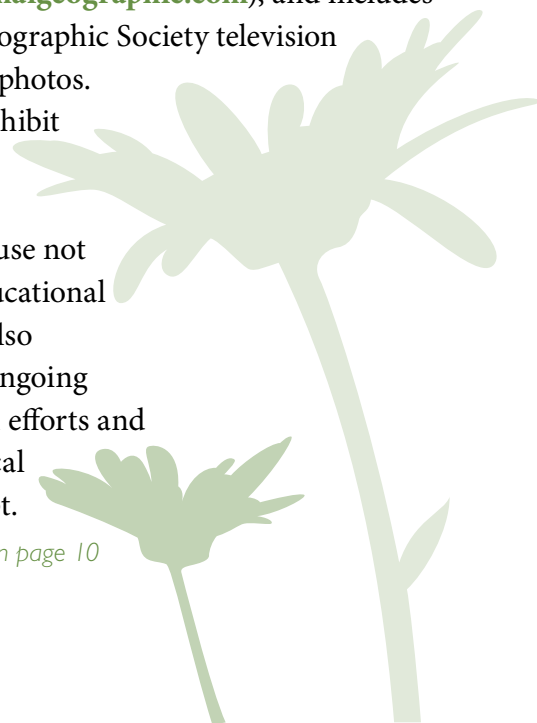
May 9, 2009, was the opening of *The Rail Splitter and the Railroads: Lincoln, the Union and the Golden State* at the California Railroad Museum in Old Sacramento. Running through February 15, 2010, the exhibit will thrill history buffs and train lovers alike, especially since excursion trains depart hourly on the weekends through September, allowing visitors the chance to ride the rails in vintage style.

The California State Capitol Museum displays *Our Union Forever: California's Role in the Civil War* continuing through May 23, 2010. Included will be a companion display of Civil War flags for the vexillologist in your family.

California's Museum for History, Women and Arts will host the pièce de résistance of the California Lincoln quartet *With Malice Toward None: Abraham Lincoln Bicentennial Exhibit*. A Library of Congress construct, the exhibit includes extensive documentation of Lincoln's entire life, including the contents of his pockets on the night of his death.

What about heading to Egypt via San Francisco? If the grandkids saw any of *The Mummy* movies starring Brendan Fraser, they will find this museum trip a treat. It's a treat for adults, too, especially if you weren't one of the 8 million visitors to see King Tut in the 1970s. The de Young Museum (www.famsf.org/deyoung) will host the boy pharaoh from June 27, 2009, to March 28, 2010. *Tutankhamun and the Golden Age of the Pharaohs* will feature King Tut's canopic jar and more than 100 other funerary objects. The exhibit is touring in conjunction with National Geographic (www.nationalgeographic.com), and includes National Geographic Society television footage and photos. This is an exhibit you can feel good about seeing, because not only is it educational and fun, it also helps fund ongoing preservation efforts and archaeological digs in Egypt.

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Speaking of archaeological projects in Egypt, recent discoveries are promising fascinating glimpses into the funeral rites and customs of Ancient Egypt. Zahi Hawass, Secretary General of the Egyptian Supreme Council of Antiquities, recently said that the intact 26th dynasty (664–525 BC) mummy discovered at Saqqara inside its limestone sarcophagus was a rare and valuable find. Scans will determine if the mummy contains the amulets customarily

interred with the deceased to ensure passage to the afterlife. In most cases, grave robbers have stripped the valuable gold amulets from the deceased, with thefts often occurring near the time of burial, though some graves were desecrated many centuries later. Hawass believes that 70 percent of Egyptian monuments remain undiscovered, which could lead to exciting finds in the near future, perhaps even tombs rivaling that of King Tut.

What happens when a funeral establishment owner dies?

When a licensed funeral director dies and leaves a funeral establishment as part of his or her estate, the Cemetery and Funeral Bureau (Bureau) may issue a temporary license to his or her legal representative, unless the legal representative has committed acts or crimes constituting grounds for denial of licensure under Business and Professions (B&P) Code section 480. A temporary establishment license is valid for six months. However, the Bureau may grant a reasonable extension to allow for the assets of the estate to be distributed as circumstances warrant (B&P Code section 7631).

If the sole owner or controlling owner of a funeral establishment dies, an assignment of the license must be filed with the Bureau. An application for Assignment of Funeral Establishment License is available on the Bureau's Web site, www.cfb.ca.gov. Click on the "Licensing" tab, then select "Applications," and click on "Funeral Establishment and Funeral Director."

The Bureau understands that an application for assignment cannot not be filed until the courts decide who has legal ownership. Therefore, the temporary license referred to in B&P Code section 7631 would be in effect. This basically means

that the Bureau will allow the establishment to continue operating for a certain amount of time.

The Bureau does require that we be notified, in writing, of the pending estate issues, and that the parties involved indicate the expected timeframe to resolve the issues. The letter should address who will be the temporary responsible party operating the facility.

When the estate is finally settled, an application for assignment of the license must be filed with the Bureau. All required documents must be submitted with the application, as well as a copy of the death certificate, final probate disposition, copy of living trust, or a copy of the probate court's testamentary letters.

If the person who has died is not only the owner but also the responsible managing funeral director, it will be necessary to appoint a licensed funeral director to replace this person (B&P Code section 7616.2).

Additional licensing questions may be answered by contacting Mary Hintemeyer at (916) 574-7874.

As a reminder, the Bureau's laws and regulations are available on our Web site, www.cfb.ca.gov, under the "Laws/Regs" tab.



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STATE OF CALIFORNIA
dca
 DEPARTMENT OF CONSUMER AFFAIRS

On the road and answering questions in Fresno

On April 23, 2009, representatives from multiple cemeteries in the San Joaquin Valley responded to an invitation from the Cemetery and Funeral Bureau to meet with Bureau staff in Fresno and discuss several hot topics including:

- ☛ Endowment care funds – what they are and how they must be handled.
- ☛ Special care funds – what they are and how they must be handled.
- ☛ Required cemetery audit reports.
- ☛ Cemetery inspections.

Judging from reviews by attendees, the meeting was an outstanding success! The audience asked a wide range of questions of the Bureau's audit and inspector staff during the 2½-hour meeting. Attendees were also able to begin networking with representatives of other cemeteries in their region.

Cemetery and Funeral Bureau Chief Rick Wallinder and his staff are excited and encouraged by this first meeting. The Bureau plans to continue these forums on a regional basis with the next meeting in Sacramento for representatives of Northern California cemeteries. No date has been set, but be sure to periodically check our Web site, www.cfb.ca.gov, for updated information.

