

A Funeral Home's Liability?

Because of a shortage of staff, funeral home management chose to not leave anyone on duty overnight when business hours were over and there were deceased cases present in the funeral home. As fate would happen, management receives a late night call from fire department personnel that the funeral home reportedly is on fire and fire equipment is currently responding to the scene.

The facility ends up with severe damage and at least three deceased are burned beyond recognition. Fire investigators determine the cause of the fire was arson and because of the age of the facility, a sprinkler system was not in place. The families of the deceased affected are now seeking answers to the funeral home's liability and how the funeral home staff will be responding to each families needs and who will be determining the final outcome and family compensation in each case.

A Funeral Director's Nightmare

A small town local high school drop-out, who chooses to blame former fellow students on his woes, invades the school facility during general assembly in the auditorium and proceeds to seek revenge using a multi-round automatic weapon. The devastation leaves ten casualties including eight students and two adults with numerous individuals wounded.

Before help can intercede, the suspect takes his own life and becomes the eleventh casualty. When local funerals are finally arranged, the parents of the suspect call one of the funeral directors to ask if they might be allowed to attend any of the funerals. The funeral director is not quite sure how to respond due to what he has heard from numerous family members and their feelings toward the suspect. How might funeral home staff respond.

The Case of the Overworked Crematory

A funeral home chose to contract out their cremation needs to an independent cremation facility whose charge was extremely reasonable. Due to the funeral home's charge for their cremation services, the margin of profit was quite lucrative.

Due to problems at the crematory and following an investigation, the funeral home personnel discovered that as a result of the volume of cremations the facility was doing they became aware that multiple cremations were taking place at the same time. The funeral home staff chose not to inform their cremation customers that the cremains returned to them were possibly tainted and mixed with other cremains. What to do?

Social Media Becomes a Problem



The FDIC of a local funeral home is made aware that some pictures have been discovered on the internet that appear to have originated from the funeral home's prep room and they are of deceased individuals. Upon questioning staff members who might be involved, no one is offering to share any information they might know about the situation.

The management personnel are at a loss for what to do to get to the bottom of the problem and starts to prepare themselves for the calls and questions that might come from families who want to know how this could happen. What might the ethical outcome be.

The Family Is Upset at the Closing of the Grave

Following the graveside service, the family requests to stay for the closing of the grave. As the family observes the grave service start the process they witness one individual place a water hose in the grave and turn it on as the fill dirt is about to be dumped in the grave from a trailer. The family requests an explanation for the necessity of the running water.

They become even more upset when they realize the outside enclosure, just a sectional concrete box, provides no real protection from water entering as they thought it did. Since the casket they selected was also non-protective, they started commenting that their funeral director had deceived them and that the funeral home had not heard the last of them. What might the FDIC's best recourse be?

A Family Member Discovers the Damage

Upon making the home removal, a daughter indicates that her mother's valuable wedding ring is not to be removed under any circumstances. Due to a security concern, the person in charge of prep room activity has the embalmer remove the ring so it can be secured until the deceased has been prepared.

Upon removing the ring, noticeable damage is done to the ring finger which is not properly repaired and then noticed by a family member during the family's first viewing. The daughter questions if the ring had been removed and then demands some kind of compensation for the staff's attempt to deceive the family.

How should the FDIC react ethically?

The Botched Obituary Notice

As is the funeral home's policy, a member of the family is asked to review the obituary information before it is forwarded to the newspaper. Being on a time crunch the only family member available to review the information was several years shy of a formal education and lacked good spelling skills.

When the lengthy obituary was printed in the paper the family became very upset at the number of mis-spellings throughout the notice and refused to pay this part of the bill, blaming the funeral director for not being more careful about who checked the information. In this case the funeral home had paid for the obit as a cash advance item.

How should the FDIC react ethically?

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The funeral director chose to take a shorter route to the cemetery instead of a longer, safer route to try and save some time. During the procession, the primary family limo is T-Boned at a major intersection and several family members are seriously injured, including one who did not survive their injuries after several days in intensive care.

The family looked to the funeral home for liability when it came to medical expenses for all involved as well as funeral expenses when the time came to move ahead with trying to help the family through this tragedy.

How should the FDIC react ethically?

The Service with Unlicensed Supervision

Due to a shortage of licensed help, the funeral home's FDIC chooses to take a chance and sends an apprentice funeral director, who is a couple of months shy of receiving her license, to oversee a graveside service. The local competitor becomes suspicious and asks a lady employee who works visitation to attend as a friend of the family and observe who appears to be in charge of the service.

The competitor's employee reports that there were only two individuals from the funeral home present, the young lady and a limo driver. The competitor chose to notify the family that there apparently was not licensed personnel in charge of their loved one's service and they may want to question their funeral home's integrity, ethics and charges.

How should the FDIC react ethically?

The Mix-up with Cremains

The funeral home had several look-alike temporary containers of cremains stored in a secure location at the funeral home. Within a few weeks following one family's loved one's cremation they came to pick-up their loved one's cremains. The temporary containers were marked with numbers and not names and the staff person assisting the family failed to check closely and delivered the wrong cremains to Family "A". A short time later Family "B" comes to pick-up their loved one's cremains and are given the container which Family "A" should have received.

Within a few weeks Family "A" decides to purchase a rather expensive urn from the funeral home. A member of the family volunteers to transfer the cremains to the newly purchased urn. In the process, it is observed that there are several medical screws mixed with the cremains from surgery that the deceased never had. The family calls their funeral director, extremely upset, and questions the possible mix-up of cremains. In a follow-up phone call to Family "B" the funeral director is told the cremains they received have been scattered and are not retrievable.

How should the FDIC react ethically?

The Unannounced Inspection

Due to a shortage of help at the funeral home, the FDIC tells an unlicensed employee, who has embalmed numerous times before, to go back and embalm the body that has just arrived. The inspector for the state board walks in for an unannounced visit and asks to see the prep room first as part of his inspection. On entering the prep room he encounters the unlicensed employee in the process of embalming and asks him about his license and how much of this work has he been allowed to do.

How should the FDIC react ethically?

The Case of the Shopper

You receive a phone call inquiring about prices. You provide the appropriate response, and because the caller was not a prior client, you invite him to visit your funeral home.

He visits, expresses his thanks, and says he will be in contact. During his visit, you learn he is from a nearby Asian community you haven't served in the past, although you would value the opportunity. The next day he stops back in. He asks if you will provide the casket and vault to your competitor because his service price was less costly, but his merchandise prices were higher than yours.

How do you react?

The Case of the Mistake with Jewelry

A family is very insistent that personal jewelry of the deceased be buried with her. They mention it again along the way. At the gravesite, they ask for your assurance. Returning to the funeral home the director discovers that an apprentice, unaware of the arrangement and concerned that the jewelry was still with the deceased, removed it at the last minute.

What is the appropriate call?

The Casket Would Not Seal

The deceased was just 18 when he was killed in a car crash. There was a large visitation and a full house for the funeral the next day.

When it's time to close the casket, before the start of the service, the mechanism simply didn't work and the seal didn't occur. You realize you don't have a replacement on hand.

How do you respond in this situation?

The Overenthusiastic Employee



Your personnel are overenthusiastic and proceed with embalming a body before receiving authorization. When the family arrives to make arrangements they let it be known they want to donate their loved one to medical science at a nearby medical school. You are aware the school has a very strict rule on preparation and insist on no aspiration. Your personnel have completed the embalming and aspiration was performed.

How would you deal with the family?

The J.P. Was in Error

You notice that the local justice of the peace has incorrectly listed the cause of death to try and avoid upsetting the family any further. It appears suicide was the probable cause. You are approaching the deadline for filing the death certificate and a delay could cause you to exceed the 10 day requirement.

How do you react ethically?

The Mourning Father

A mother comes in to make funeral arrangements for her five-year-old son. As authorizing agent she is paying for all costs. During the discussion she states that she was granted full legal custody of the child after a recent (and bitter) divorce from her husband. She requests that the child's father, not be allowed viewing rights and you agree, though it is not included in the contract.

You are closing for the evening, after the first viewing. Everyone has gone home. It has been a long day; you're exhausted and looking forward to spending some time with your family. Someone knocks on the door and it turns out to be the child's father. He is crying, and begs you to allow him to say good-bye to his only son. You have a child of your own, and so realize how important this would be to you.

Do you let him view the body?

The Tight Budget

A husband comes in to arrange his wife's funeral, tells you he lost his job when Z-CORP relocated, is having trouble meeting his mortgage payments, and he can't afford to pay you for your services.

What do you do?