

The Buckeye Director

A publication of the Ohio Funeral Directors Association

Winter 2010



**Effective and Legal
Funeral Contract Terms**

pg 10

**OFDA Holds Annual
Golf Outing**

pg 14



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The Buckeye Director

Volume 2 • Issue 4

The Ohio Funeral Directors Association

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OFDA Mission Statement

To represent and support our membership by promoting professional standards and excellence in funeral service.



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The Buckeye Director Magazine Schedule

The schedule for all contributors to adhere to for future publications is as follows:

March publication deadline is January 13, 2011

June publication deadline is April 13, 2011

September publication deadline is July 13, 2011

December publication deadline is October 13, 2011

If your copy is not received by the deadline date, it will not be published. We feel it necessary to impose these restrictions in order to better serve our members.

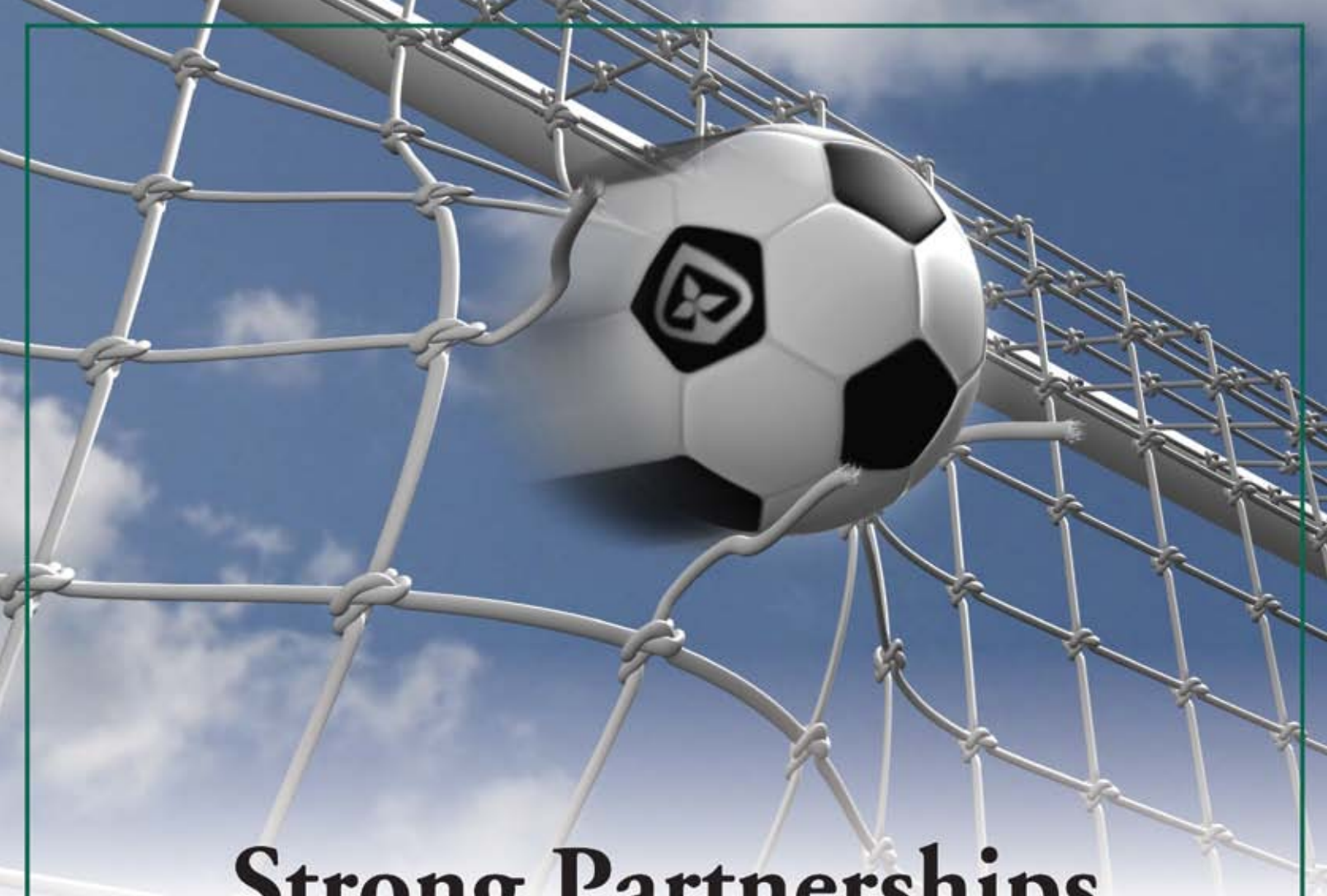
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GIVE THE GIFT OF OURSELVES

"Rings and jewels are not gifts, but apologies for gifts. The only true gift is a portion of thyself." — Ralph Waldo Emerson

I recently came across the above quote and realized how appropriate it was as we contemplate gift-giving to our loved ones during the holiday season.

We all try to think of the "perfect" gift to surprise those special people in our lives. But can anything be more perfect than the gift of ourselves; our time, our encouragement, our love or our guidance and prayers to those we care most about?

Think about it. I suspect most of us can purchase those items we think we need or simply would enjoy having. But none of us have the ability to buy time, wisdom, laughter or the love that only those closest to us are able to give as presents.

What does it mean to give the gift of ourselves? Here are some ideas:

We Give of Ourselves when we give gifts of the heart: love, kindness, joy, understanding, sympathy, tolerance, forgiveness.

We Give of Ourselves when we give gifts of the mind: ideas, dreams, purposes, ideals, principles, poetry.

We Give of Ourselves when we give gifts of the spirit: prayer, vision, beauty, aspiration, faith, peace.

We Give of Ourselves when we give gifts of words: encouragement, inspiration, guidance.

Remember, what will matter most when our lives are finished is not what we bought, but what we built; not what we received, but what we gave.

My holiday prayer for each of you is that you find meaningful ways to share yourselves with family members and friends during this wonderful season.

I also pray that God will bless you in the coming year!

Happy Holidays!



Stephen J. Gehlert



DECEMBER

- 2 Executive Committee Meeting, Hilton, Easton
- 8 Master Training Seminar, OFDA Headquarters
- 15 Insurance Training Seminar, OFDA Headquarters
- 23-24 OFDA Office Closed for the Holiday
- 31 OFDA Office Closed for the Holiday

JANUARY

- 18 Master Trust Committee Meeting, OFDA Headquarters
- 18 Executive Committee Meeting, OFDA Headquarters
- 19 Board of Directors Meeting, OFDA Headquarters

FEBRUARY

- 15 Master Trust Committee Meeting, OFDA Headquarters
- 15 Executive Committee Meeting, OFDA Headquarters
- 24-3/2 OFDA Annual Education Conference, El Conquistador, Puerto Rico

MARCH

- 15 Master Trust Committee Meeting, OFDA Headquarters
- 15 Executive Committee Meeting, OFDA Headquarters
- 20-23 NFDA Advocacy Summit, Washington, D.C.

APRIL

- 25 Insurance Seminar, Hyatt Regency, Columbus
- 25 Master Training Seminar, Hyatt Regency, Columbus
- 25 Executive Committee Meeting, Hyatt Regency
- 26 Board of Directors Meeting, Hyatt Regency
- 26-28 131st OFDA Convention, Hyatt Regency and Columbus Convention Center



Terry Reardon

THE HOLIDAY SPIRIT

“It’s the most wonderful time of the year” — truer words were never spoken. I love the holidays, starting with Thanksgiving. A morning football game with friends, followed by a wonderful feast shared with family and friends, reminds us of all the blessings our creator has filled our life with.

The next morning begins the Christmas season for me. I don’t care if the department stores have been decorated for a month; I like to pace myself a little at a time, so that, on Christmas Day, I have reached my festive peak. So that, on that most wonderful day, I am not weary of the season, but fully enthusiastic to greet the day and its time-honored traditions.

Everyone has his or her own unique way of celebrating the season. For instance, I like to decorate the outside of my home at night when it’s cold and snowing — and, yes, I graciously accept my annual dose of criticism from my wife, family and neighbors. I willingly accept these assaults on my judgment because the minor discomfort of the cold quickly fades, but the sensation of the snowflakes melting on my face and eyelashes and the beautiful radiance of the lights, and colors of the season are all part of my Christmas experience and all so wonderful.

Another tradition our family has is going to a tree farm and cutting down our Christmas tree. It is usually myself and my four children. My wife usually does not participate in the tree hunt. Instead, she uses the personal time to prepare herself mentally for the huge mess and spectacle she is about to witness, as I attempt to fit a Christmas tree slightly smaller than the one in New York’s Rockefeller Center into our family room. (They always look smaller in the forest.)

As I reflect on these wonderful traditions, it has led me to make the following observation: funeral homes are like Christmas trees. Every one is different, and each has a personality of its own. For example, every year, we end up with a different shape, color and species of tree, because there are five of us looking for the best one. Also, our ornaments are a complete cornucopia of our life — no two are the same. We have ornaments that are antiques, gifts, family heirlooms, grade school projects, etc. In contrast, I have a neighbor who, when ordered by his

wife, goes to the basement, gets the tree out of the crawl space, ascends to the living room, removes it from its hermetically sealed container and pops it up in the front window like a beach umbrella. It already has the lights beautifully interwoven on its snow-white flocked branches. He plugs it in, and in a moment, the custom-ordered blue lights fill the room with light. Step two: large, round, shiny, blue ornaments, all the same size, and a dozen strategically placed almost realistic bluejays finish the job. Same thing every year — he’s done in 20 minutes. He is watching football while I am painting the scars on my door jambs caused from dragging a six-foot-wide spruce through a 30-inch door, and I wouldn’t have it any other way.

Somehow when we put the last ornament on our tree, it looks perfect, but no one else’s looks quite right. And that’s how we are as funeral directors — no two are the same. We all have our own strengths, talents and personalities. We also serve unique communities, and every day, the families we serve become more diverse. As I visit funeral homes, I always marvel at the ingenuity and resourcefulness of funeral directors. I respect and admire the firms that build new facilities to serve their communities, and I am so impressed by the improvements to older buildings in order to enhance service to families and become more efficient. We as funeral directors are certainly a creative bunch. Just as we all celebrate the holiday season differently, the spirit remains the same; and just as our funeral homes are different, the commitment to funeral service and care for families remains the same.

On behalf of OFDA, and my family, I wish you all a blessed Christmas, a Happy Hanukkah and a New Year filled with good health, peace and prosperity.

God bless us, everyone.

Attention: New Policy at OFDA

Certificate of Completion: Each attendee is given one Certificate of Completion for each program sponsored by OFDA as required by the State Board of Embalmers & Funeral Directors. Beginning January 1, 2011, if you require a duplicate copy of any Certificate of Completion there will be a \$5 per Certificate processing fee charged.

Protect Your Future; Back Up Your Data



Directors Data

by Bob Shank Jr.,
OFDA Director of Technology

What would you do if all of your company's financial and family history data was gone forever? Now that computers have become an integral part of your business and personal lives, keeping the data safe that you are collecting needs to become one of your highest priorities. Yes, I am referring to that dreaded process known as creating a backup. It's not sexy — it is time-consuming and not very exciting to implement. But your business could find itself in a catastrophic situation if you don't plan ahead. You wouldn't run your business without insurance, and you shouldn't run your business without a solid backup plan. View it as insurance for your data.

All backup systems consist of two major components: the software used to collect, move and compress your data and the hardware that your data will be stored on. There is backup and recovery software built in to the Windows operating system that many people find adequate for their needs. Others choose to purchase a more fully featured software application, such as Norton Ghost. For most funeral homes, the backup utility in Windows will work fine once you have set it up. No matter which software you use to do your backups, the most important part of making your backup is making sure that you configure the software to collect and back up ALL of your important files. Some software will back up the entire hard drive so you don't need to select files; others require you

to select every individual file you want to protect. While copying your entire hard drive is sometimes an easier option, it creates much larger backups that take more time to copy. Either way will work.

Next, we need to look at the hardware we use to store the backup. Portable USB-powered hard drives have now become very large and very inexpensive. I recommend them highly for backup purposes. Many of the larger drives also come with very good backup software included. I also recommend the purchase of two hard drives and using them in an alternating fashion. It is good practice to use alternate drives to ensure that even if one of your backup drives fail, you always have another. And since these drives are portable, you should always keep one copy of the backup files offsite, at another physical location, to avoid a catastrophic loss due to a fire or flood at the facility.

Backups are important, and in this installment of "Directors Data," I have suggested a basic, yet effective, place to start your back process. In a future article, we will look at another newer option for backups: online backup. Don't delay — no matter what backup process you decide to use, do something to protect your files today. Your business future may depend on it.

As always, if you have any questions about this article or need assistance, please feel free to contact me at bob@ofdaonline.org or 614-560-5182.



Resource Center Corner

by Janet Blankenship, Resource Director

As we draw an end to 2010, I thought it would be nice to offer recognition to those of you in the funeral industry by the following poem:

Funeral Directors®

by Larry Howland

*Each one's a counselor and friend,
A guide on whom we all depend.
It's when we suffer tragic loss,
They help us bear the heavy cross.*

*Preserving loved ones in their rest,
They try to fill each last request.
They're caring, helpful, pleasing, kind
And strive to ease a grieving mind.*

*Within the valley's shadowed death,
They help us stop and catch our breath.
They offer comfort and relief
To cope with sadness, stress and grief.*

*From older folks to juveniles,
They've walked with many
through their trials.
And as we share our sad goodbyes,
We see compassion in their eyes.*

*With hope and wisdom to impart,
They comfort each sad, broken heart,
They offer guidance through the day
And gently help us find our way.*

The above poem speaks to all you do, but do you know what the purpose of your funeral home is? Is your mission statement a "statement of purpose"? I recently read *It's Not What You Sell, It's What You Stand for – Why Every Extraordinary Business Is Driven by Purpose*, by Roy M. Spence Jr., with Haley Rushing. Their company, GSD&M, started more than 35 years ago with the partners' lifelong goals of staying in Austin, staying together and to make a difference. Read about their *Don't Mess with Texas* campaign; how Southwest Airlines gave people the freedom to fly; how BMW enables people to experience the joy of driving; how Whole Foods provides choices for nurturing the body, the community and the planet; and many others. As you look to the future of your business, pick up this valuable resource to assist your funeral home and make a fresh start in 2011.

And on a completely different level, a must-read for women of AARP age, *The BOOB Girls – The Burned Out Old Broads at Table 12*, a novel by Joy Johnson, co-founder of Centering Corporation, North America's largest bereavement resource center.

*"Four diverse widows take off in secret for parts unknown, leaving no forwarding address. The burned out old broads who dine together at Meadow Lakes table 12 find adventure, romance, mystery and **prove there is life after grief**. Grab your latest AARP advertisement for a bookmark and read this laugh-out-loud 'fun read' and a look into relationships every mature woman wants and deserves."*

As always, please feel free to contact Janet Blankenship, OFDA resource coordinator, janet@ofdaonline.org, 614-486-5339 or 800-589-6332, fax 614-486-5358 or 800-507-1465 with any of your questions and/or comments.

Workers' Compensation Group Rating Programs Help Employers Save Significant Premium Dollars



Now is the time of year for you to begin planning for your workers' compensation future. Many companies are probably sending you information about their programs. While they may be able to save you money in the short term, they often lack the quality comprehensive customer service and program stability that helps to ensure continued long-term group rating discounts. Through the Buckeye Workers' Compensation Alliance, CareWorks Consultants, Inc. (CCI) offers a level of service and satisfaction unmatched by any other third-party administrator (TPA) in the industry.

If you are currently in another group rating program, you should compare your savings and program quality to the Buckeye Workers' Compensation Alliance group rating program administered by CareWorks Consultants. Find out for yourself why organizations choose and remain with CareWorks Consultants.

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If you have not yet received application information and would like to apply for group rating, please call CareWorks Consultants directly at 800-837-3200 and ask to speak with someone in the group sales department.

You may also visit CCI's website to apply for group rating online at www.careworksconsultants.com/groupratingapplication.

The deadline to make a decision will approach quickly. Don't be left wondering what to do about your workers' compensation future! Call CareWorks Consultants at 1-800-837-3200 to discuss your potential savings. Choose a partner with a record of not only savings but also incredible service.

SAC Awards Granted

The OFDA Scholastic Assistance Committee met in July to conduct interviews with student applicants requesting financial assistance from OFDA for their mortuary college tuition. The Board of Directors accepted the committee's recommendation to award eight educational grants. We appreciate the continued support of districts,

affiliated funeral service groups and members for their generous contributions that enable worthy students' financial assistance. The students who received SAC awards, all of whom attend the Cincinnati College of Mortuary Science, are:

- Lauren Baughman, Canal Winchester
- Domenick Marocco, Marion

- Martin Messmer, Carey
- Ashley Norris, Calumet City, Illinois
- Jacob Penwell, Shelby
- Justin Toft, Sandusky
- Danielle Voigt, Fairfield
- Amanda Wildern, Cheviot

Does Your Funeral Home Have a Distracted Driving Policy?

by Barb Garrison, MS, CHMM

The Occupational Safety and Health Administration (OSHA) recently announced a new education campaign calling on employers to prevent work-related distracted driving, with a special focus on prohibiting texting while driving.

“Year after year, the leading cause of worker fatalities is motor vehicle crashes,” said Assistant Secretary of Labor for OSHA Dr. David Michaels. “There’s no question that new communications technologies are helping businesses work smarter and faster. But getting work done faster does not justify the dramatically increased risk of injury and death that comes with texting while driving.”

Part of OSHA’s education outreach is a new Web page aimed at those whose workplaces are the cars, vans and trucks that deliver the goods and services on which the nation’s economy depends, and their employers. This online resource will inform workers of their rights and employers of their responsibility to provide safe workplaces and offer best practices and

policies on achieving safe workplaces in motor vehicles. Information and continual updates are available at <http://www.osha.gov/distracted-driving>, and a sample *Texting and Talking on Hand-Held Cell Phones While Driving Policy* can be found at http://www.distraction.gov/files/get-involved/Employer/DD_Employer_Policy_Contract_3.26.10.doc.

An open letter to employers, also posted on OSHA’s website, requests that companies examine their policies and practices, informs them that they have a legal obligation to prohibit workplace hazards such as texting while driving and asks them to immediately remove any incentives that may motivate employees to text while behind the wheel.

“OSHA’s message to all companies whose employees drive on the job is straightforward: It is your responsibility and legal obligation to have a clear, unequivocal and enforced policy against texting while driving,” Michaels said. “Companies are in violation of the Occupational Safety

and Health Act if, by policy or practice, they require texting while driving, or create incentives that encourage or condone it, or they structure work so that texting is a practical necessity for workers to carry out their jobs. OSHA will investigate worker complaints, and employers who violate the law will be subject to citations and penalties.”

The Transportation Department reports that, in 2009, more than 5,400 people died in crashes linked to distraction and thousands more were injured. In particular, texting while driving has become such a prominent hazard that 30 states now ban text messaging for all drivers. Learn more about combating texting while driving and other distracted driver hazards at the Transportation Department website <http://www.distraction.gov>.

Information for this article came from the OSHA website.



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Effective and Legal Funeral Contract Terms

by T. Scott Gilligan, OFDA General Counsel



Scott Gilligan

The past few years have provided a perfect storm against funeral-home profits. The increased cremation rate, the falling death rate and a prolonged recession have combined to implode funeral-home profits. According to recent reports, funeral-home profits have fallen to all-time lows.

There are several steps funeral homes can take to regain profit levels. Some of them, such as revamping marketing and merchandising to turn cremation into a profit center, may take some long-term planning. Also on the long-term horizon, the death rate will increase during the next 40 years as the baby boomer generation meets its ultimate demise. But what can be done in the short term to jumpstart revenue?

One of the quickest fixes to falling revenue can be achieved through better arrangement and billing practices. Is the funeral home leaving money on the table or inviting families not to pay by using antiquated billing practices? Are your current contract terms both effective and legal? In this article, we will look at several ways you may be able to reduce receivables and strengthen your bottom line while still abiding by Ohio law.

Payment Policy. Most of the funeral home's uncollected receivables can be traced to the failure of the funeral director to obtain at the arrangement conference a signed statement on how the funeral will be paid. The use of a written payment policy in which the funeral home lists acceptable payment options and requires the family to commit in writing to how the funeral will be paid can be a very effective method in reducing receivables. It also makes it easier to present mandatory payment options to a family because the funeral arranger can simply explain he or she has no discretion to modify the terms established in the funeral home's payment policy. Finally, it helps to avoid misunderstandings by reducing everything to writing.

There is a sample payment policy at the end of this article to help funeral directors prepare their own payment policy or improve

an existing policy. A copy is also available at OFDA's website. While the sample payment policy suggests payment options, it is up to each funeral home to establish which payment option it will and will not use and what the exact terms of payment will be. What may work for a funeral home in a large urban setting may be inappropriate for a small-town funeral home. Nonetheless, each funeral home should have a written payment policy and receive a firm commitment from the family on how the funeral will be paid at the arrangement conference.

Insurance and Estate Processing Fees. If a funeral home permits funerals to be paid from the assignment of insurance proceeds or from the assets of the decedent's estate, the funeral home will be required to prepare and file claim forms. This practice will also delay payment, especially in the case of an estate where the claim may not be paid for six months to a year. Funeral homes that accept payment from these sources are entitled to charge for the extra work and time involved by imposing insurance and estate-payment processing charges.

In the sample payment policy, there is an option under which the funeral home allows payment by insurance but indicates an insurance processing fee is charged with that option. Similarly, an estate filing fee is imposed if the funeral home agrees to allow the funeral to be paid by the estate. In addition, the last paragraph on these payments. However, especially in the case of estates, Ohio probate judges will often not allow late fees to be paid on a funeral bill by an estate. Therefore, the estate processing fee may be the only compensation the funeral home receives in exchange for the extra paperwork

and time it takes to collect payment from an estate.

Late Fees. Many funeral homes still adhere to the traditional custom of billing the family after the funeral service has been provided. Typically, the family is given some period of time to pay, such as 30 days. If your funeral home uses this billing method, the terminology used in the funeral purchase contract can be critical.

To avoid the funeral purchase contract being regarded as a retail installment contract, it is important to refer to the charge imposed upon the consumer who fails to pay by the due date as a "late fee," a "late penalty" or a "delinquency charge." Funeral homes should avoid referring to the late fee as a "service charge," an "interest charge," a "carrying charge" or a "finance fee."

Why is the terminology so important? Because the funeral home wants to avoid having the funeral purchase contract be classified as a retail installment sale that would be subject to the requirements of Section 1317.01 of the Ohio Revised Code or the federal Truth In Lending Act. If a consumer contract is classified as a retail installment sale under Ohio law or consumer debt under the federal Truth In Lending Act, the merchant is required to make numerous loan disclosures in the contract. To avoid these disclosures, the funeral purchase contract should make it clear payment is due by a certain date and that "late fees" will be imposed if the payment is delinquent.

Ohio law does not spell out a maximum late fee that can be imposed for delinquent payments. Some Ohio courts have found the late fee must be "reasonable" under the circum-

stances. Since the maximum interest rate that Ohio law allows on retail installment contracts is 25 percent, it is recommended the funeral home not require a late fee in excess of 25 percent per year or 2 percent per month.

Credit Cards. Credit cards can be a helpful tool in reducing receivables for funeral homes. When a family pays for the funeral with a credit card, the funeral home receives instantaneous payment. Moreover, if the family has overextended itself, the collection problem falls to the credit card company and not to the funeral home.

The obvious downside to credit cards is that the funeral home pays a processing fee of anywhere from 1.5 percent to 2 percent. Therefore, to the extent that the funeral home processes payments through credit cards rather than receiving cash or check, its overall profits will be reduced.

Whether the reduction in payment is worth the advantages of instantaneous cash flow is up to each funeral home to decide. Funeral homes will also have to consider the convenience to the family since many consumers wish to pay by credit card in order to receive airline miles and other benefits. Accepting credit cards also makes it easier to divide payments among several family members who may want to contribute toward the price of the funeral.

If a funeral home does accept credit cards, it should think twice before accepting payments of cash advance by credit cards. If a funeral home is paying the cemetery, the newspaper, the florist and other-third party vendors by check while receiving reimbursement by credit card, it is incurring a loss on every cash advance payment. Since the processing fee paid to the credit card company will be deducted from the payment being credited to the funeral home, the use of credit cards to pay cash advance items results in an out-of-pocket loss to the funeral home.

Some funeral homes attempt to address this situation by imposing a surcharge on consumers who use credit cards. Typically, the funeral home charges up to a 2 percent surcharge on credit card payments. While this is not illegal under Ohio law, it is a violation of the funeral home's merchant contract with Visa, MasterCard and American Express. The credit card companies prohibit the imposition of a surcharge against consumers who



use credit cards. Therefore, to avoid a credit card company revoking the funeral home's credit card contract, it should not impose surcharges.

While a funeral home may not impose surcharges on credit card payments, it may offer a prompt payment discount to consumers who pay by cash or check. For example, if a funeral home increased its overall prices by 2 percent, but then offered a 2 percent prompt payment discount to consumers paying the funeral by cash or check within a certain time period, the end results would be the same as if a 2 percent surcharge was being imposed on credit card payments. The funeral home is recouping the 2 percent it pays to credit card companies without imposing the surcharge prohibited by the credit card companies.

Attorney's Fees, Collection Costs and Returned Check Fees. It is typical in most loan agreements to include provisions requiring the debtor to pay the attorney's fees and collection costs if the creditor has to sue to collect the debt. However, under Ohio law, provisions requiring a debtor to pay the attorney's fees of a creditor are unenforceable. Moreover, recent cases have found that including attorney's-fee provisions in a consumer debt contract is not only unenforceable but may constitute a violation of Ohio's Consumer Sales Practices Act and the federal Fair Debt Collection Practices Act. Therefore, a funeral home that includes an attorney's fee collection provision in its funeral purchase contract may be opening itself up to consumer lawsuits under both

Ohio and federal law. Obviously, if your funeral home has language in either its pre-need or at-need funeral contracts requiring the consumer to pay the funeral home's attorney's fees, you should immediately delete those provisions.

Although attorney's-fee provisions are unlawful, a contract clause requiring the consumer to pay collection fees is permissible under Ohio law. For that reason, funeral home contracts that allow payments to be made to the funeral home after the funeral has been provided should recite the consumer will be responsible for the funeral home's collection costs in the event a debt is not paid when due.

A funeral home that receives payment by check may also impose a fee for processing returned checks. On the sample payment policy, we have included a provision informing a consumer paying by check that the funeral home charges a fee for checks returned because of insufficient funds or any other reason. Under Section 1319.16 of the Ohio Revised Code, bad check collection charges are capped at the greater of \$30 or 10 percent of the face amount of the check. Therefore, the returned-check fee should not exceed \$30 or 10 percent of the face amount of the check, whichever is greater.

If OFDA members have questions regarding billing or contract issues, they may contact Scott Gilligan at 513-871-6332.

SAMPLE PAYMENT POLICY

_____ FUNERAL HOME

PAYMENT OPTIONS

Services for: _____

We sincerely appreciate the opportunity to serve your family during your time of need. At _____ Funeral Home, it is our goal to assist every family, regardless of their financial resources. We have a range of payment options that can meet any family's needs.

The _____ Funeral Home requires all arrangements for the full payment of the funeral be finalized prior to the Funeral Home making any arrangements to conduct a visitation, funeral or memorial services. As the person legally responsible for payment, please place your initials beside the appropriate payment option that you have selected to pay the funeral expenses. This will indicate the method you have selected to pay for the funeral goods and services listed on the Funeral Purchase Contract.

() **Payment by Cash or Check:** If this option is selected, the following terms will apply:

- All cash advances and _____% of the purchase price for services and merchandise selected must be paid the date the Statement of Funeral Goods and Services Selected is signed.
- The remaining balance of the purchase price is due _____ days following the funeral. A late penalty of _____% per month will be imposed if not paid by the due date.
- Any check returned to the Funeral Home for lack of funds or other reasons is subject to a \$_____ service charge.

() **Insurance Assignment:** Proceeds from one or more insurance policies can be assigned to _____ Funeral Home for all or a portion of the funeral expenses. All policies MUST be verified as "In-Force" and the amount payable before any insurance will be accepted as payment of funeral expenses. An insurance claims processing fee of \$_____ will be added to the funeral bill to compensate the Funeral Home for processing the insurance claim.

() **Visa/MasterCard and American Express** will be accepted for payment of funeral services and merchandise. Credit card payments cannot be accepted for cash advance items.

() **Payment by Estate:** Because it may take up to a year to probate and settle an estate, the Funeral Home does not accept this form of payment except in situations that are approved in writing by the manager of the Funeral Home. We will charge an estate filing fee of \$_____ to the funeral bill.

If due to a delay in processing an insurance claim, probating an estate, or some other cause, the full payment is not received within _____ days of the date of the funeral, a late penalty of _____% per month will be applied to the outstanding balance of the funeral bill.

By signing my name below, I acknowledge the above initialed payment option as the way I agree to pay for all of the funeral expenses.

(Purchaser)

(Purchaser)

(Social Security Number of Purchaser)

(Social Security Number of Purchaser)

17680
[Use Additional Sheets for Multiple Purchasers]

NFDA Honors 2010 Pursuit of Excellence Award Recipients at the Convention in New Orleans

Congratulations to the following Ohio funeral homes:

Hall of Excellence Inductee

Toland-Herzig Funeral Homes & Crematory, Dover

Best of the Best Award Recipient

Littleton & Rue Funeral Home & Crematory, Springfield

Pursuit of Excellence Award Recipients

- Barid Funeral Home, Troy
- Bartley Funeral Home, Minerva
- Bayliff & Son Funeral Home, Cridersville
- Brucker & Kishler Funeral Home, Newark

- Cassaday-Turkle-Christian Funeral Home & Cremation Service, Alliance
- Cunningham-Becker, Poland
- Duro Services, Inc./Zaback-Ducro Funeral Home & Cremation Service/Greenlawn Memory Gardens, Ashtabula
- Dwayne R. Spence Funeral Home, Pickerington
- Higgins-Reardon Funeral Home, Youngstown
- Littleton & Rue Funeral Home & Crematory, Springfield
- Morman Funeral Home, Wakeman
- Routsong Funeral Home & Cremation Service, Kettering
- Sharer-Stirling-Skivolocke, Alliance
- Toland-Herzig Funeral Homes & Crematory, Dover
- Wappner Funeral Directors, Mansfield
- Wonderly-Horvath-Hanes Funeral Home & Crematory, Fremont

Kudos

During the NFDA Convention, the Ohio Funeral Directors Association was given an award by the Funeral Service Foundation Hand in Hand Campaign. OFDA was recognized for completing its pledge of \$10,000. A big thank-you goes out to members who helped OFDA complete the pledge.



John Herzig, CFSP; Tricia Herzig-McKinnon; and Joyce Herzig, Toland-Herzig Funeral Homes & Crematory, Dover, were honored as inductees into the Hall of Excellence. Also pictured: NFDA President William C. Wappner, CFSP.



Rob Rue, Littleton & Rue Funeral Home & Crematory, Springfield, receiving the Best of the Best Award from William C. Wappner, CFSP, NFDA president



APFSP President Arvin Starrett, CFSP, recognizing Joan E. Billman, CFSP, of Ashtabula for achievement of earning the designation of Certified Funeral Service Practitioner, along with Immediate Past President Kathleen Berry, CFSP, of Cleveland



OFDA officers (l-r) President-Elect John Evans, CFSP; President Terry Reardon; Treasurer Mark Merz, CFSP; and Secretary Anthony Quahliero at the NFDA Convention welcome reception

OFDA HOLDS ANNUAL GOLF

SEPTEMBER 9 AT NORTHSTAR GOLF CLUB, SUNBURY



First-, Second- and Third-Place Teams

First-Place Team

Bud Eichholtz, Rush Eichholtz, Steve Turner, Matt Eley

Second-Place Team

Sean Hartwell, Matt Creech, Jerry Inebnit, Chris White

Third-Place Team

Todd Vertovsky, Rob Bock, Dave Worcester, John Brewer



OUTING

Hole Contest Winners

- Closest to Pin #4 - Matt Eley
- Closest to Pin #8 - Matt Eley
- Closest to Pin #15 - Greg Baker
- Closest to Pin #17 - Bud Eichholtz
- Longest Drive Any #11 - Jerry Inebnit
- Longest Drive Men #14 - Matt Eley
- Longest Drive Women #5 - Danielle Holt
- Longest Putt #18 - Poul Lemasters

A BIG THANK-YOU to Aurora Casket Company and FDLIC for co-sponsoring the golf outing.

Thank you to American Coach Sales and Thomson MacConnell Cadillac for generously sponsoring the Hole-in-One Contest.

Thank you to these companies for their hole sponsorship: Affordable Supply Company, Astral Industries, Cincinnati Equitable Insurance Company, Columbian Financial Group, Inman Worldwide Shipping, Lemasters Consulting, National Guardina Life Insurance Co. and Rosenacker & Associates





Thank you to the many companies who supplied door prizes.

Without the sponsor support, this outing would not be the success it is.
THANK YOU!

Thank you to all the golfers for your continued support of OFDA.

**OFDA INTRODUCES
 THE 1 = 2 CAMPAIGN**

- **WHAT IS THIS?** Through death we are given the chance to give back. Show your families that you truly care about their loss. Join the OFDA in the 1=2 campaign by partnering with Thirst Relief.
- **HOW DOES IT WORK?** One, 10 dollar donation from your funeral home on behalf of the deceased directly saves the lives of two people by providing them with a long-term source of safe, clean drinking water.
- **HOW WILL IT BENEFIT MY BUSINESS?** You can display a tasteful poster board in your funeral home that outlines your humanitarian involvement with Thirst Relief. Also, you will be given access to In Memory of Cards designed for the grieving family. The card will let them know that you made a life-saving donation on behalf of their loved one.

BECOME A FUNERAL HOME OF LIFE TODAY!
 Send an email titled "1=2" to info@thirstrelief.org
 or Call us at 1-866-5THIRST



DEATH-CERTIFICATE ISSUES

by T. Scott Gilligan, OFDA General Counsel



Scott Gilligan

Recently, OFDA has fielded a number of questions from members on death-certificate issues. Since these issues may arise for other members, we have prepared the following Q & A article on death certificates.

1. In the case of a fetus that died before the 20 weeks gestation period, does Ohio now require a fetal death certificate?

In 2008, the Ohio legislature enacted the Grieving Parents Act. That law changed Section 3705.20 of the Ohio Revised Code governing fetal death certificates. Prior to the passage of the Grieving Parents Act, a fetal death certificate was only available for a fetus of at least 20 weeks' gestation. There was no method by which parents could obtain a fetal death certificate for a fetus under the 20-week gestation cutoff.

The Grieving Parent Act amended the law to allow a fetal death certificate to be issued on application of either parent for a fetus that was under the 20-week gestation period. The fetal death certificate does not have to list the cause of death. In applying for the certificate, the mother must include with the application the written statement provided by the hospital which confirms the woman was pregnant and suffered a miscarriage that resulted in a fetal death. If the father submits the application for the death certificate, he is required to have a signed and notarized document from the mother attesting the mother voluntarily provided the copy of the statement to the father.

Therefore, while Ohio does not require a fetal death certificate for a fetus that is under 20 weeks' gestation, it does allow such a certificate to be

issued upon the application of either parent. There is no requirement that the parents be married in order for the father to make the application.

2. Does the registrar have to issue a burial permit for a fetus where the fetus was under the 20-week gestation period?

The Grieving Parents Act added a new provision to Section 3705.20 that requires the local registrar to issue a burial permit for a fetus that died prior to 20 weeks of gestation if either parent files the fetal death certificate with the registrar. The issuance of the burial permit allows the fetus to be interred in a cemetery or cremated.

3. With funeral homes filing electronic death certificates, how does a family that is arranging the funeral without using a funeral home, obtain a death certificate?

The Ohio Office of Vital Statistics has established guidelines for a family to obtain a death certificate without the assistance of a funeral home. A copy of the guidelines may be obtained on the website of the Ohio Department of Health at www.vitalsupport.odh.ohio.gov. The guidelines include a checklist for registration of the death without the participation of a funeral home. The family member must fill out an information sheet on the decedent and then obtain a statement attesting to the death from a physician, coroner or medical examiner. Those two documents would then be faxed to the Ohio Office of Vital Statistics at 614-728-9181. The Office of Vital Statistics would review the materials and, if they are complete, submit them to the electronic death registration system. If more information was needed, Vital Statistics would contact the family member.

4. Three years ago, we handled the funeral of a man whose daughter told us he was divorced. We have now been contacted by a woman who claims to be his spouse and who alleges that they were never divorced. She is demanding that we amend the death certificate and list her as his widow so that she can obtain a death ben-

efit from his pension fund. Are we required to amend the death certificate?

No. The funeral home did not contract with the former spouse, so it has no obligation to assist her with her request to amend the death certificate. Furthermore, the funeral home would have no way to verify whether the spouse was divorced or not at the time of the decedent's death. The funeral home should advise the woman that she can file an application to correct the death certificate herself without the assistance of the funeral home.

Except in the case of the date of death or the cause of death, anyone can apply to correct a death certificate in Ohio, whether or not he or she is related to the individual who died. However, only the attending doctor, coroner or funeral director listed on the death certificate can change the date of death. If there are disputes regarding corrections on the death certificate, the conflict must be resolved by the probate court.

5. How does a family member amend a death certificate without the participation of the funeral home that filed the death certificate electronically?

Family members should be advised to contact the Ohio Office of Vital Statistics at 614-466-2531 or by e-mail at vitalstat@odh.ohio.gov. The family member should obtain from the Office of Vital Statistics a copy of a Correction of Death Record Affidavit. Vital Statistics will mail or fax the affidavit to the family member.

The family member will be required to complete the affidavit listing the name of the person who died, the date of death, and the city and county where the death occurred. The family member can then make up to five corrections on the form.

OFDA members with questions regarding death certificates can find helpful information on the OFDA website or the website of the Ohio Department of Health. Of course, members may also contact Scott Gilligan at 513-871-6332 for assistance.



Trudy H. Baker, 86, (née Schuller), of Berea, Ohio, passed away at the Altenheim, Strongsville, Ohio, on August 12 after a brief illness. Trudy was the wife of Wes Baker, previous owner of Baker–Osinski–Kensinger Funeral Home, Berea.

Dearly beloved wife of the late Wesley E. Jr.; dearest mother of Wes III (Candy) of Chagrin Falls, Ohio, Dan (Joan) of Garden, Michigan, and Kathy Reiff (Greg) of Groton, Massachusetts; loving grandmother of Kim Baker, Karolyn Blanc (Art), Libby Higgins (Michael), Katie Baker, Jennifer Price, Jill Crane (Chuck), Sarah Reiff, Alison Reiff and Steven Paulick (Melinda); and proud great-grandmother of 11.

Donations may be made to Heritage Congregational Church, 485 West Street, Berea, Ohio.

Elizabeth Z. Barkdull, age 104, resident of Mansfield Avenue, Shelby, died Tuesday, August 3, 2010, in Crestwood Care Center following a brief illness. Born October 28, 1905, in Zanesville, Ohio, to George Ziegler and Elsie (Markert) Ziegler Tidd, she had been a Shelby resident since 1929.

A 1923 graduate of Zanesville High School, she had worked as a bookkeeper and was a homemaker. Mrs. Barkdull was a member of the First Presbyterian Church and a former member of the 97 Club and the Shelby Women's Club. An avid OSU football fan, she enjoyed music, all types of needlework, cooking and baking for others. Betty was faithful about keeping in touch with friends and family, whether it was through letters, cards or phone calls.

Survivors include one son, James (Sharon) Barkdull of Morrison, Colorado; her daughter-in-law, Bette Barkdull of Shelby; eight grandchildren, Eric (Sharon) Barkdull, Kurt (Laura) Barkdull, Lesli (Bill) Neal, Colbi (Roy) Reese, Megan Barkdull, Heidi Barkdull, Callie (Stuart) Cabe, Shannon (Cary) Hartley; 12 great-grandchildren; one nephew, Warner Freese of Covington, Indiana; two nieces, Susan Childers of Canal Winchester and Barbara Jane Phipps of Kokomo, Indiana; one cousin, Nancy Rigsby of Jackson Hole, Wyoming; and other relatives.

She was preceded in death by her husband, Albert W. Barkdull, in 1992; one son, Richard Barkdull, in 2009; an infant daughter in 1937; a half-brother, Karl Ziegler; a half-sister, Gloria Edwards; one stepbrother, Lyman Stucker and sisters-in-law Margaret Kish and Helen Freese.

Memorial expressions may be made to the First Presbyterian Church or to Shelby Home & Public Health.

Lois M. Feucht, 98, of Navarre died at her residence Monday, October 4, 2010, following a period of declining health. Mrs. Feucht was the mother of funeral director John Feucht with the Spidell Funeral Home, Brewster.

She was born in Justus on September 9, 1912, to the late Homer and Mabel (Pfouts) Putman. She married Raymond F. Feucht on April 15, 1933. He died November 28, 1989.

Lois graduated from the former Justus High School and the former Massillon Commercial Business School. She was a member of St. Paul United Church of Christ in Navarre, the Women's Guild of the church and the

Navarre Welcome In Women's Club, and she quilted with the Crossroads Ladies Aide Society as long as her health permitted.

She is survived by her children, Suzanne M. Turner of Navarre, Gene F. (Velma) Feucht of Massillon and John L. (Bev) Feucht of Navarre; eight grandchildren; and 16 great-grandchildren.

In addition to her parents and her husband, she was preceded in death by a sister, Laura Krichbaum, and a son-in-law, Wayne Turner.

Memorials are suggested to St. Paul UCC Memorial Fund, 337 N. Main Street, Navarre, OH 44662.

Ruth E. Gedert, 83, mother of OFDA member Michael Gedert, died on Tuesday, July 27, in the loving care of her family.

Ruth was born on February 27, 1927. She was a 1945 graduate of Clyde High School and attended Tiffin University Business Program. She worked at the Personnel Department of Clyde Porcelain Steel Corporation; she was also a real estate agent with 4-Way Realty and retired from Moore Business Forms in Fremont. She enjoyed working as a volunteer library assistant at St. Mary's School, Clyde, and proudly served for several years as the secretary for the Clyde High School Alumni Association.

Ruth married the late Dr. John J. Gedert on August 27, 1949, and both were lifetime residents of Clyde.

Ruth is survived by two daughters, Cindy (Don) Ott and Kathy (Bill) Hartwig; three sons, John J. (Susan) III, Thomas — all of Clyde — and Michael (Vicki) Gedert,

Cincinnati; one sister, Joyce (Buddy) Kindred, Clyde; 10 grandchildren; and nine great-grandchildren; and many nieces and nephews.

She was preceded in death by one son, David Daniel; her parents, Walter and Mildred Cleveland; two brothers, Glenn and Paul Cleveland; and two sisters, Melba Doering and Evelyn Wiewandt.

Memorials may be made to the Muscular Dystrophy Association or Hospice of Fremont Memorial Hospital.

Edward J. Hriczo, 79, died on Thursday, August 5. Beloved husband of Mary Lou (née Haladey) for 58 years; loving father of Kathy, Tim (Christine) and Janice Mertens (Gregg); dearest grandfather of Gregory, Wayne, Jessica and Elizabeth; brother of the late John and Bill; and beloved uncle, great-uncle and friend of many.

Eddie was retired from the U.S. Postal Service, a dedicated funeral director for more than 50 years, an OFDA member and the longtime secretary-treasurer for St. Anthony's bowling league.

John S. Porter, known to many as Johnnie, age 56, formerly of Mount Sterling, died unexpectedly Friday evening, July 30, 2010, at Clinton Memorial in Wilmington. He was born November 23, 1953, in Columbus, Ohio.

John was a 1972 graduate of Madison Plains High School; a graduate of Urbana University and the College of Mortuary Science in Cincinnati; a member of the United Church in Mount Sterling; an attendee of Sabina United Methodist Church, where he helped deliver meals to those in need; the former owner of Porter Funeral Home, Mount Sterling; and a member of the Ohio Funeral Directors Association and Masonic Lodge #269 F & AM of Mt. Sterling.

John was an avid golfer and fisherman; he enjoyed sports of all kinds. John loved his family and loved being with his friends. He never knew a stranger.

He was preceded in death by his parents, Max F. and Mary (Turvy) Porter. He is survived by his best friend and loving companion, Becky Pauley; his loving sister, Connie (Tom) Lindsey; his special niece and her family,

Heather (Chad) Hoffman, and their children, Seth and Silas; his special nephew, Shawn (Aimee) Lindsey, and their children, Natalie and Nicholas; his sons and their families; Kyle (Rachael) Porter, Canaan, Keira and Alexis; and Todd (Sarah) Porter, Hailey, Ashlyn and Drew; his daughter, Nicole Lynne Porter; his loving cousin and family, Scott Baker (Ashley and Seth). He will be greatly missed by many friends and his extended family in Sabina, Ohio.

John chose to be a donor in the Anatomical Gift Program at Boonshoft School of Medicine at Wright State University — *Mortui vivos docebunt* ("The dead shall teach the living"). As the director of the program stated, "*The gift of your remains for educational and scientific purposes is truly meaningful and is an act of unselfish concern for all who succeed you in life.*" The hallmark of donors to the Anatomical Gift Program is that they were "givers" throughout their lives.

Nedra Jean Rettig, 83, Leetonia, formerly of Defiance and Holgate, Ohio, died Thursday morning, August 5, 2010, at her home following a brief illness.

Nedra was born August 4, 1927, in Tedrow, Fulton County, Ohio, the youngest child of James Arthur and Martha Wenzel Call. She attended school in Fulton County and Wauseon until her junior year, when the Wauseon School was destroyed by fire. She completed her senior year at Defiance High School, where she graduated in 1935. While working as a waitress at the former Wellman's Restaurant in Defiance, she met a returning Korean War veteran, Wallace C. Rettig. They were married on October 10, 1954, and moved to Holgate, Ohio.

In addition to being a homemaker, a farm wife and a mother to three children, Neddie worked as a dietary cook at the former Northcrest Nursing Home in Napoleon for nine years. In 1977, she and her husband, Wally, moved to Leetonia, Ohio, where they partnered with their son, Jon Rettig, in the ownership and operation of the Woods-Rettig Funeral Home in Leetonia. Neddie served as receptionist and funeral assistant for more than 33 years, working up to the last six months of her life, greeting and comforting hundreds of people who came through the doors.

She was an active member of St. Jacob's United Church of Christ, Leetonia; the Lamplighters Sunday School Class; and the Women's Guild. She was a member and past matron of the former Charity Chapter Order of Eastern Star in Holgate; a member of the former Leetonia Chapter; and was currently a member of Salem Chapter, #334 OES. She was past president of District #7 OES and past president and member of William F. Helmke American Legion Auxiliary, Holgate, where she served as Americanism chairman for many years. She was currently a member of Joe Williams American Legion Auxiliary of Leetonia and Salon #432 8 & 40 of Columbiana; the Thursday Reading Club, Leetonia; and the Gideon's Auxiliary. She was a member of Church Women United and also volunteered at the Help Center in Lisbon.

She is survived by her husband, Wallace C. Rettig; a daughter, Lisa (Rick) Smith of Charlotte, North Carolina; two sons, Jon (Ellen) Rettig Sr. of East Palestine and Kim (Elizabeth) Rettig of Tuscaloosa, Alabama; a sister, Coral Edgar Stevens of East Palestine; and five grandchildren, Jon (fiancée Nicole) Rettig Jr. of East Palestine, Joshua Rettig, of LaPlata, Argentina, Joseph (Amanda) Rettig of Beaver Creek, Jean Rettig of East Palestine and Katherine Rettig of Fayetteville, North Carolina. She was preceded in death by two sisters, Lucile Max and Dorothy Palmer; and three brothers, Jay Call, Blaine Call and Leon Call.

Memorials may be made to St. Jacob's United Church of Christ or The Luke Commission, P.O. Box 1335, Sagle, ID 83860.

Mary A. Sowers, age 86, died at 7:01 a.m. on Monday, August 9, 2010, at Piqua Manor Nursing Home, Piqua. She was born in Montgomery County, Ohio on September 22, 1923, to the late John and Ethel (Minnich) Brown. On April 26, 1941, she married Howard E. Sowers. He preceded her in death on October 25, 1987.

Mary is survived by two sons and daughters-in-law: Ronald and Virginia Sowers, Dayton, and Jerry L and Pamela Sowers, Piqua; five sisters: Mrs. Vera Brunk, Brookville, Mrs. Evelyn Steele, New Paris, Ohio, Mrs. Helen Wogoman, Arcanum, Ohio, Mrs. Edna Sowers, Arcanum, Ohio, and Virginia and Bud Reed, Union, Ohio; one brother: Dale Brown, Richmond, Indiana; one sister-in-law: Peg Brown, Troy; eight grandchildren;

21 great-grandchildren; and one great-great-grandchild. She was preceded in death by one son: Gary E. Sowers; three brothers: Ned Brown, Henry Brown and Charles Brown; one sister: Viola Bolin; and one daughter-in-law: Gladys Sowers.

Mary was employed at Fram Corp. in Greenville for 18 years as an assembler before retiring in 1974. She was a loving mother and grandmother. Mary enjoyed spending time with her family and watching her grandchildren and great-grandchildren grow. Mary will be missed by all of them. She was an avid Cincinnati Reds fan. The family wishes to express their thanks to the nurses and other staff at Piqua Manor for their kindness and loving care while Mary was with them.

Memorial contributions may be made to Care Ministry of Grace United Methodist Church, 9411 N. County Road 25A, Piqua, OH 45356.

Sydney Lee Tackett, 14, of Bainbridge began dancing with Jesus at 10:15 a.m. on Tuesday,

August 10, 2010. Sydney was born September 4, 1995, in Fayette County.

She is survived by her parents, Matt and Michelle Conley, William Tackett Jr.; two sisters Jordan Marie and Nevaeh Elaine; one brother, Elijah James; grandparents Jim and Sandy (Pop and Nan) Strouth, Harry and Louise (Papaw and Mamaw) Conley and William and Linda (Mamaw and Papaw) Tackett; her aunt Lisa (Tata) and her uncle Casey, Anthony, Lea, Cruz and Averi McFadden; her uncle Jason (Erika) Brennen, Kayleigh, Kara and Lucas Conley; her uncle Andy Conley; her uncle Kevin (Ashley) Tackett; Robbie Hega; her great-grandmother, Betty Boswell; her great-aunt and -uncle, Judie and Herb Pugh; her great-aunt Peggy Boswell; her great-uncle Don; Brian, Amberleigh and Carson Ungerbuehler; and her great-uncle and -aunt, David and Susan Strouth.

She was predeceased by her great-grandfather, LaVern Boswell; her great-grandparents, Jim and Mable Strouth; her great-aunt, Faith Ann

Wallace; her uncle Mark Anthony Tackett; and her great-grandmothers Leah Jeannette Damron and Loretta Tackett Betts.

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Sydney would have been a freshman at Paint Valley High School. She played a year of volleyball and many years of basketball and softball. Her team girls were very important to her. Sydney was also a vital part of her First Wesleyan Youth Group as well as the First Wesleyan Women's Ministry Creative Team. Sydney loves Jesus with all her heart and was never afraid to tell you all the things God had done for her. Sydney truly touched every single person she came in contact with.

Contributions can be made in Sydney's memory to the First Wesleyan Church (Youth), 89 South Mulberry Street, Chillicothe, OH 45601.



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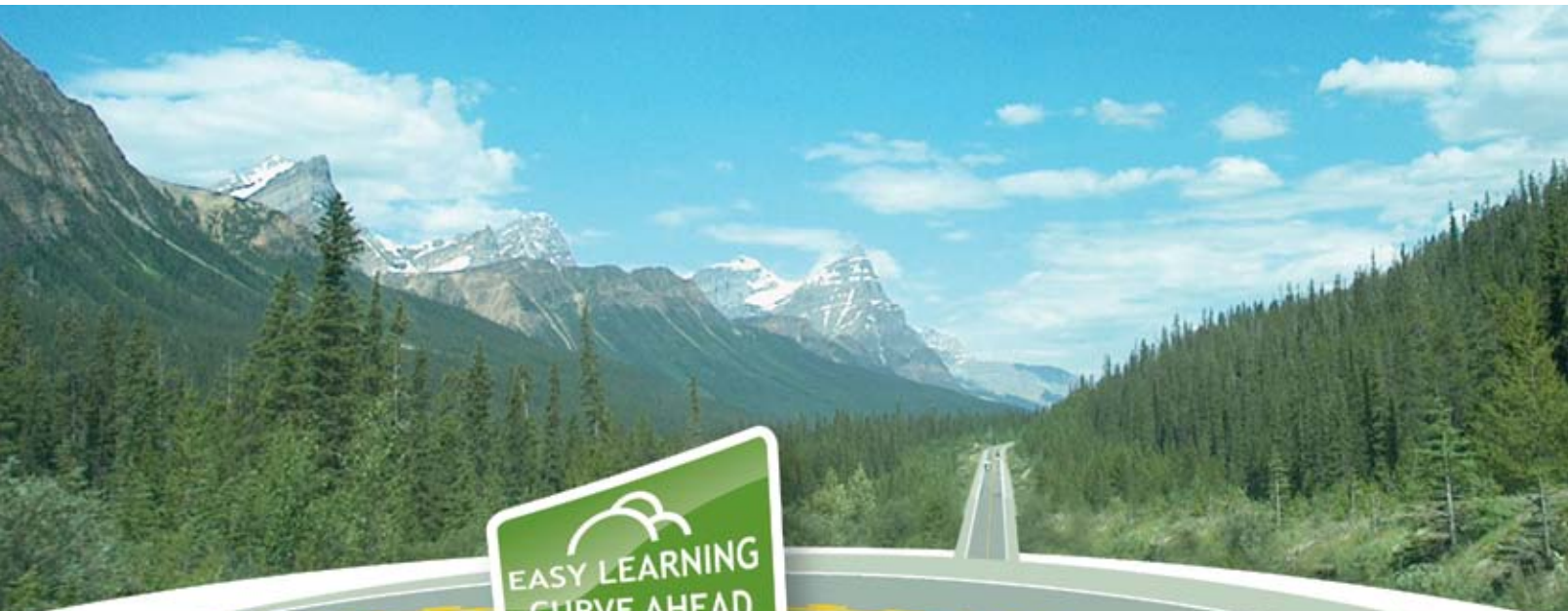
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