

CFDA SPECIAL BULLETIN

To: All Regular Members
From: Jim Draper, Chairman, Legislative Committee
Date: June 12, 2003
Re: Revised "Declaration For Disposition of Cremated Remains" Form

You may have noticed the Cemetery and Funeral Bureau (CFB) recently amended its "Declaration For Disposition of Cremated Remains" form on its website. ***We suggest you use the attached form instead of the Bureau's revised document.***

Here's why. The Bureau's new form does not include the disclosures that were previously printed on the reverse of the document. Business & Professions Code Section 7685.2 requires these disclosures to either be printed on a contract for cremation services, or on a separate document that is attached to any contract including cremation. Thus, if you use the bureau's form as-is, you would be out of compliance -- unless your Statement of Goods and Services Selected (the "contract") already includes these disclosures on the first page of the document.

The CFB has approved use of the attached form, which, you will note, does include the 7685.2 disclosures.

Additionally, the new form does the following:

- requires the phone numbers of both the funeral establishment and the crematory to be placed on the form
- does not include the text of the applicable disposition laws, but does make reference to where they can be found in the Health & Safety Code
- includes additional places for signature when more than one person has the right to control disposition under Health & Safety Code Section 7100
- clarifies that the form can be signed by any funeral director, employee or agent of the funeral establishment
- includes (at the bottom of the form) the required distribution of the signed form, i.e. attach a copy to the purchaser's contract and retain the original

Remember, California law requires this form to be executed whenever cremation is the intended disposition, whether selected on an at-need or a pre-need basis.

Please feel welcome to contact CFDA at (800) 255-2332 or me at (909) 986-1131, if you have any questions.