

**From:** [Sunset Advisory Commission](#)  
**To:** [Trisha Linebarger](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Thursday, August 16, 2018 5:32:39 PM

---

-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Thursday, August 16, 2018 5:24 PM  
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>  
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS FUNERAL SERVICE COMMISSION TFSC

First Name: James

Last Name: Lucas

Title: Co-Chair of Legislative Committee

Organization you are affiliated with: Texas Funeral Directors Association (TFDA)

Email: jimmy@familyowned.net

City: Fort Worth

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

TFDA Response to Sunset Advisory Commission Staff Recommendations Regarding Texas Funeral Service Commission

The representatives of the Texas Funeral Directors Association (TFDA) were pleased to have the opportunity to visit with members of the Sunset Advisory Commission prior to the proposed Staff Report. We also appreciate the members of the Sunset Advisory Commission Members who spent time at Harrell Funeral Home, familiarizing themselves with the unique services offered by funeral professionals. Our funeral service professionals meet with families and Texas consumers at an emotional time and accompany them in making difficult decisions. Because our profession provides services to public consumers, our funeral homes, commercial embalming operations and crematories continue to be highly regulated by state and federal agencies such as the Federal Trade Commission, Department of Banking, and the Texas Funeral Service Commission. The Board Members of the Texas Funeral Directors Association (TFDA) and many members strongly believe that an independent Funeral Service Commission is more effective in both protecting the Texas consumer in their time of grief and need, while understanding the intricacies of the funeral service profession that require regulation. Over the past 15 years, the Texas Funeral Service Commission has become purposeful in seeking Commissioners and Staff who are motivated to foster professional and ethical behavior of funeral service and funeral service professionals, and in turn protect the public consumer.

The Texas Funeral Directors Association Board of Directors are in support of almost all the recommendations of the Sunset Advisory Commission Staff Report, with one exception. The Staff Report suggests that, since the Texas Funeral Service Commission has only 5 cemeteries to regulate, the regulation of these 5 cemeteries should be transferred to the Texas Department of Banking. The TFDA Board agrees with this recommendation, and with the suggestion of the removal of the cemetery commissioner from the Texas Funeral Service Commission. However, we do request that the cemetery commissioner be replaced with a certified crematory operator/owner instead of adding a

public member. The National Funeral Directors Association has projected that the national cremation rate will be 53.5 percent by 2018. According to the Cremation Association of North America, Texas currently has one of the fastest growing cremation rates in the nation. Per the Staff Report, only 38% of the 164 crematories in Texas were inspected for the fiscal year of 2017, resulting in the need for educated inspectors. As cremation rates continue to increase, we believe that both the consumers and the Texas Funeral Service Commission would benefit from a member with expertise in cremation, as well as experience in responding to the shifting wishes of the consumer.

Any Alternative or New Recommendations on This Agency: Please see response above.

My Comment Will Be Made Public: I agree