



*Paul Lane*

---

F U N E R A L   H O M E

---

*A Guide to Pre-Planning  
&  
Funeral Arrangements*

## *PRE-PLANNING OPTIONS*

### WHEN IS THE BEST TIME TO PREPLAN YOUR FUNERAL?

The best time to begin making your prearrangements is now, while you're thinking about it. While some people in their 40's and 50's may think it's too early to preplan, people who do say that prearranging their funerals is smart financial planning and gives them added peace of mind knowing they aren't leaving this burden to family members.

By taking time now to collect price information and calmly making choices related to your own funeral arrangements, you will be protecting your family from the stress of having to make these decisions at a time of extreme emotional duress. This way, you can carefully choose specific items you want and need and pay for them now.

Prepaid funeral arrangements through our funeral home allows families to fund their funerals in advance and give themselves the gift of peace that comes with knowing that when they pass, their family will not be unduly burdened. Leaving written instructions can serve to alleviate a source of conflict between family members at an already emotional time.

### THE SIX COMMON REASONS FOR PREARRANGING FUNERALS:

Today, more individuals and families are making the decision to prearrange their funerals than ever before. Because of factors such as inflation, fewer extended family members living close by, and other changes in our society, planning your own funeral makes a lot of sense. In a recent survey, these were the most common reasons people gave for prearranging their own funerals:

- Lets your wishes be known.
- Reduces stress for friends and family at an already emotional time.
- Saves money.
- Guarantees your family will never have to pay more for your funeral - regardless of inflation.
- Shows you care.
- Relieves your loved ones of the financial responsibility.

## NEXT-OF-KIN HIERARCHY

New York State now has a law that establishes the hierarchy of who can control the disposition of human remains. The order of priority set forth in Subdivision 2 of Section 4201 of the NYS Public Health Law is the following:

Person designated in written instrument;

Spouse;

Domestic Partner;

Any Child 18 or Older;

Either Parent;

Any Brother or Sister 18 or Older;

Authorized Guardian;

Person 18 or Older now Eligible to Receive an Estate Distribution, in the following order:

\*Grandchildren;

\*Great-Grandchildren;

\*Nieces and Nephews;

\*Grand-nieces and Grand-nephews;

\*Grandparents;

\*Aunts and Uncles;

\*First Cousins;

\*Great-Grandchildren of Grandparents;

\*Second Cousins;

Fiduciary;

Close friend or other relative who is reasonably familiar with the decedent's wishes, including his or her religious or moral beliefs, when no one higher on the list is available, willing, or competent to act; (NOTE: This person must complete an "At-Need Written Statement of Person Having the Right to Control Disposition" form.)

Public administrator (or the same official in a county not having a public administrator); or, anyone willing to act on behalf of the decedent who completes the "At-Need Written Statement" form.

## FINAL DISPOSITION AGENT

Effective August 2, 2006

You may now appoint a “Final Disposition Agent” in New York State

This new law allows a person to appoint someone they trust, such as a family member, close friend, live-in companion or domestic partner to act as their agent and legal representative to control their funeral arrangements and disposition of their remains following death. The agent would have the legal authority and responsibility to ensure that the decedent's wishes concerning final disposition are carried out as intended. Funeral directors, cemeteries, crematories and other providers involved in the process of final disposition must follow the decedent's directions, as well as any decision made by the agent if there are no specific written instructions.

By appointing an agent, an individual is making sure that his or her wishes are honored by significantly reducing any chance that family members or others who disagree with these plans can alter them. The agent may be given as much or as little authority as the person wants. In addition, a person may also give the agent specific instructions concerning details of the funeral and/or burial.



## PRE-PAYMENT OPTIONS

We provide information on PrePlan, which is a personal trust fund run by the New York State Funeral Directors Association, as well as answers to some frequently asked questions about prepaying your funeral.

There are a growing number of options available to the public today when seeking to PrePlan and prepay their final wishes. We can tailor a plan that is right for you. From single pay plans to automatic monthly bank withdrawals in 12/18/24/36/48 or 60-month plans designed to meet anyone's budget concerns, our staff would be pleased to outline the choices available.

Pre-paying your contract in full today can protect you and your family from future inflationary trends while providing the piece of mind of knowing that they will be cared for after you are gone. Below you will find more detailed explanations of the plans that we have available. If you would like to request an appointment at your home or in our offices after you have reviewed this information, we would be pleased to have one of our staff go over any additional questions you might have.

## PREPLAN

Make sure that you make arrangements with a funeral home that is a member of the [New York State Funeral Directors Association](#) and who also uses PrePlan. A trust fund is opened under your social security number so you retain ownership of the funds until the time that services are rendered. Funeral Directors only have access to funds in the PrePlan once services are performed and a certified death certificate has been sent to close the account. By using PrePlan you can rest assured that all of the money deposited, stays in the trust fund and gains interest towards future funeral expenses. Your money is completely portable in the PrePlan because it is not in the possession of the funeral director. Money can be transferred to any funeral home of your choice at the time of services. PrePlan is the safest way to make and pay for your funeral arrangements.



## TYPES OF PREPLAN ACCOUNTS

### ***REVOCABLE***

This is the type of arrangement that many people will make for themselves or their loved ones. The arrangements can be changed at any time and are fully refundable. Revocable arrangements apply to people who are not on SSI/Medicaid.

### ***IRREVOCABLE***

This is the type of arrangement that applies to people who are applicants or recipients of SSI/Medicaid. New York State law mandates that pre-funded funeral arrangements for applicants or recipients of SSI/Medicaid be Irrevocable. Under this type of arrangement no refund is possible because the funds set aside for funeral expenses is exempt from Medicaid fund resource limits. Any funds left over after the execution of funeral services must be returned to the county that paid for the decedent's care. All detailed selections must be made and shown on the contract given to the purchaser and SSI/Medicaid. At the time of services additions can not be made to 'use up' any extra remaining funds in the trust, those funds must go back to the county. This is the most common type of arrangement for people who are in a nursing home and are in the 'spend down' phase while submitting an application to SSI/Medicaid. SSI/Medicaid allows you to pay for your funeral arrangements in full before exhausting most of your resources on medical care.

### ***GUARANTEED PRICE***

Guaranteed price pre-arrangements can be either Revocable or Irrevocable, but must be paid in full at the time the PrePlan account is opened. The price guarantee typically applies to the funeral home charges. In some circumstances a Full Price Guarantee may be available for everything, including the cash advances. Cash Advances are the portion of the PrePlan agreement used to pay for third-party services such as fees for the cemetery or crematory, death certificates or clergy honorarium.

### ***NON-GUARANTEED PRICE***

Non-Guaranteed price arrangements are when full payment is not made at the time the PrePlan account is opened. Regular PrePlan accounts can be opened with as little as \$500 and then additions can be made by the purchaser at any time and in any amount.

## ***SELECT-PAY***

Select Pay is a way of paying for your PrePlan account arrangements on a monthly basis. It requires a minimum deposit of \$250. The remaining funeral charges are divided into monthly payments making it easier for consumers with financial restraints. You have the option of splitting up your payments over the 12, 18, 24, 36, 48 and 60 month terms that are available. Once the account is opened, every month a payment coupon or an automatic electronic withdrawal from your checking account is sent to PrePlan for the specified amount.

One of the most important things you can do is to begin thinking seriously about your final arrangements. Decisions such as whether you would like to be buried or cremated and where you would like your final resting place to be can give you a place to start your planning process.

By opening a PrePlan trust account and making small monthly payments of as little as \$50 a month over a number of years you can begin to take steps financially to offset the final costs of funeral services.

The reality is that we will not be here forever. It is how we each prepare for this inevitable event that can make all the difference between having a “Celebration of Life” or an emotionally and financially stressful obligation left for loved ones to carry out.

## FREQUENTLY ASKED QUESTIONS

Following is a list of frequently asked questions that we commonly receive at the funeral home.

If you have a question that has not been covered in this booklet we would like to hear from you. You may use the “Ask The Director” section of our website to forward your question or comment to us.

If you would prefer to call, our staff would be pleased to provide an answer to any funeral related matter you may have. If we do not have the answer readily available, we will research it and get back to you as soon as possible.

### *Question #1*

How much do I need to open a PrePlan account?

#### *Answer:*

For a regular account the minimum deposit is \$500. After that you can make additional deposits any time you choose.

For a Select-Pay account the minimum deposit is \$250 and after that a withdrawal is made from your checking account every month for the term you selected (12, 18, 24, 26 28, or 60-months) for the remaining balance.

### *Question #2*

Can I make monthly payments on my PrePlan arrangements?

#### *Answer:*

Yes. With a minimum deposit of \$250 to open the account, then monthly withdrawals of the balance split into equal installments depending on what term you want to make the payments.

You can select to pay the remaining balance of your PrePlan over 12, 18, 24, 36, 48 or 60-months in monthly installments.



### *Question #3*

How do I make pre-arrangements for a relative in a nursing home?

#### *Answer:*

If you have a loved one that is already a resident of a nursing home or about to become one there are some things about pre-planning that you should know. Although most long term care facilities will open a “burial account” or keep funds in a patient care account while the resident is living, this arrangement doesn’t offer the simplicity of the PrePlan. Compare the different ways of releasing needed funds for final arrangements:

#### Nursing Home Patient Care Account:

Upon the death of the resident the family must petition the business office of the nursing home for release of the funds in the account to the funeral home.

Some nursing homes will not release any funds to the family or the funeral home and will instead send the money to the public administrators office. If this occurs the family usually will be required to pay the funeral bill in full and seek reimbursement later from the public administrator. Each funeral firm will have their own policy about payment for services.

Some nursing homes will not release the funds to the funeral home or family before the funeral, again forcing the family to pay the funeral bill in full and await reimbursement.

#### Nursing Home or Financial Institution Burial Accounts:

The account is limited to having no more than \$1,500 and upon the death of the resident the family must go to the bank with a copy of the funeral bill.

A bank employee must call the funeral home and verify the amount in the burial account and to whom in the family the money will be released before a certified death certificate application will be made. The bank must also agree to release the money immediately with no 30-day waiting period.

Upon verification of these things the funeral home will obtain a death certificate for the family member named on the burial account. That family member must go back to the bank with the funeral bill, a certified death certificate and their identification to obtain a check payable to the funeral home.

With a PrePlan account, information is available by having the funeral home call and ask how much money is in the account. The PrePlan will forward the money in the account directly to the funeral home upon receiving a death certificate. It's that simple.

#### ***Question #4***

Why are cemeteries so expensive?

#### ***Answer:***

Cemetery space is at a premium in the New York City Metropolitan area with the price for the purchase of a grave and the opening charge can range from \$4,000 to \$7,000 or more. We strongly suggest that if you know you want to be buried in the New York City area that you purchase your grave space now with the cemetery of your choice. The cemetery is still going to charge an 'opening/closing fee' at the time of your burial for digging the grave but at least the land will be paid for.

Remember, no new cemeteries are opening in New York City and because of supply and demand the cemeteries that have space will increase their grave prices each year. Of course this doesn't apply to veterans and their spouses who are eligible for grave space in the National Cemetery System. Veterans with an Honorable Discharge from active duty and their current spouses are eligible for a grave at no charge in the National Cemetery System.

### ***Question #5***

How much does Social Security pay towards the funeral?

#### ***Answer:***

SSI/Social Security does not pay any expenses directly to the funeral home for funeral expenses.

A surviving spouse or divorced person that was married to the deceased for 10 years or more may be eligible for a 'Spousal Death Benefit' of \$255, but that benefit is only payable directly to the surviving widow or widower once it has been applied for and they are deemed to be eligible to receive it.

### ***Question #6***

Does the City of New York pay for any part of the funeral arrangements?

#### ***Answer:***

One can apply to the Department of Human Resources (HRA) for a funeral expense (up to a maximum of \$900) for a funeral costing no more than \$1,800.

There are specific New York City eligibility requirements such as:

1. Decedent must have been a resident of the City of New York
2. Friends or relatives of the deceased are not legally required or are unable to pay burial costs.
3. Decedent was eligible for NYS Medicaid benefits.
4. Funeral costs do not exceed \$1,800 in total. (excluding Cemetery or Crematory Charges and Clergy fees)

The department has a right to conduct a 60-day investigation and request supporting documentation before making a determination whether the burial benefit will be paid.

## *Question #7*

Can my family use the insurance I have through my employer or union to pay my funeral expenses?

### *Answer:*

Check your coverage carefully. Does your employer or union allow your beneficiary to assign proceeds due them to a funeral home? Also once you retire many companies greatly reduce or eliminate the life insurance coverage provided to their workers. It is a good idea to talk with someone in the Human Resources department where you work or your Union Representative to find out just how much coverage you have and if they would pay a funeral home. If it isn't enough to meet your needs you can supplement it with a private life insurance policy of your own.

The City of New York and the State of New York do not allow assignments to be taken for payment of funeral expenses for active or retired employees. So if the person worked for a city or state agency the benefits will eventually go to the designated beneficiary but can not be used to pay a funeral bill directly.

Because the life insurance benefit will probably be a Group Life Insurance product (different from privately purchased Individual Life) you may experience an extended delay before getting verification on the amount and beneficiary. This is because of the additional administrative bureaucracy. For Group Insurance, first the employer has to be notified of the death, then they may have to notify a 3rd party administrator of the death and that 3rd party administrator will notify the actual insurance company. These steps can be time consuming, and can cause delays between the time of death and the time a funeral home is able to perform the funeral.

A funeral home must have positive verification of life insurance benefits and all signed documents before proceeding with the funeral, this is the only way the insurance company will pay us for performing the funeral.

### ***Question #8***

If I am a veteran doesn't the government pay for my funeral?

#### ***Answer:***

If you are an Honorably Discharged veteran the government will provide, upon your death, grave space and a headstone for you and your current spouse in a National Cemetery. Minor children may be buried in the cemetery if they are under the age of 18. There may be additional reimbursements if the veteran dies in a VA Hospital. (Visit the VA Website for more information at <http://www.cem.va.gov>)

Other than those items, when a veteran dies and they aren't on active duty it is up to their family to make and pay for the rest of their funeral arrangements. Also note that VA Insurance does not accept funeral assignments and will not pay a funeral home, so it cannot be used directly for funeral expenses.

### ***Question #9***

Can my relatives use an annuity to pay for my funeral?

#### ***Answer:***

Annuities are financial products sold by insurance companies, but they are not life insurance and are not assignable for funeral expenses.

### ***Question #10***

Can I use a life insurance policy that is new and was issued less than two years ago to pay for funeral expenses?

#### ***Answer:***

Once the insurance company issues you a life insurance policy you are in fact covered. What the agent didn't explain to you is the Incontestability period. For deaths that occur within a two or three-year period after a new policy, the insurance company has a right to review the original application for insurance and all medical records of the deceased. This can often take months. After that the company will decide whether to pay the full death benefit, a reduced death benefit, or if they will pay any benefit at all depending on what facts they found during their investigation.

The incontestability period is necessary, otherwise people would only get insurance when they got sick "just in case" and insurance companies would go bankrupt paying out \$10,000 policies after only collecting a few hundred dollars in premiums.

### ***Question #11***

The beneficiary on the life insurance policy I want to use is not coming to the funeral or is deceased or is unwilling to assign their benefit over to the funeral home, how will this affect the funeral arrangements?

#### ***Answer:***

If the beneficiary of the policy is living but unavailable or unwilling to sign a funeral assignment form and the funeral contract ordering services the proceeds of the policy will go to that beneficiary at a later date. In this case the family members that come to us to make the funeral arrangements would be financially responsible for paying the bill.

It is important to realize that no one can force a beneficiary to assign all or part of the proceeds due them for funeral expenses. In bleak economic times people's priorities can change and lead to disagreements within a family about how insurance proceeds should be spent at the time of death



If the beneficiary of the life insurance policy the family wants to assign has died then a death certificate is required for the deceased beneficiary. If a contingent beneficiary is named on the policy the contingent can sign our funeral contract, claim form and assignment form and use their portion of the benefits to pay the funeral bill.

If there is no contingent beneficiary living or available, or no beneficiary named at all then the insurance company typically will only pay the estate of the deceased and no assignment of benefits to the funeral home is possible.

### ***Question #12***

If the beneficiary of a life insurance policy is a minor child can I use it to pay funeral expenses?

#### ***Answer:***

Insurance is not assignable by anyone under 18 years of age. Also a minor can not legally enter into a funeral contract with us to perform services. It's fine to leave insurance proceeds to your minor children but your funeral expenses definitely will not be coming out of anything left to them. The insurance company will pay the claim to a trustee or guardian of the child appointed by the court and that money will be deposited into a trust fund for the well being of the child.

### ***Question #13***

My relatives died and left instructions in their Last Will & Testament that the funeral bill be paid by their estate, how does this effect the funeral arrangements?

#### ***Answer:***

Most funeral homes will not invoice a person's estate for funeral expenses because we cannot afford to wait for the resolution of lengthy court proceedings to be paid for services rendered. A person such as the executrix or the executor will be required to come forward and sign an agreement ordering funeral services, this person will also have to pay the funeral home for the services ordered and receive their money back from the estate once the will is probated and the estate settled.

## ***Question #14***

My relative died and had more than enough money in the bank to pay for their funeral. How do I use it to pay the funeral bill?

### ***Answer:***

Dying with money in the bank is no guarantee that your funeral will occur in a timely fashion or at all. Depending on how your account is set up with the bank it could take time, a lawyer, a certified death certificate and a trip to surrogates or probate court to release that money.

If the bank account is a joint account then you don't need to do anything special. The other living person named on the account can transact business normally and withdraw funds from the bank account to pay the funeral expenses.

If the bank account was left in trust for someone, only that person upon presenting the bank with a certified copy of the death certificate and positive ID, such as a passport or photo drivers license, can receive those funds. The person who the account is in trust for will need to have personnel from the bank verify to the funeral director there is enough to cover the funeral expenses before a certified death certificate application will be made. The bank will then release the money to the person it was left in trust for so they can pay the funeral expenses.

If only the name of the deceased account holder is on the account then the bank will probably want to see the letters of administration from probate court or an heirship affidavit will have to be executed by the next of kin for small amounts under \$10,000. The heirship affidavit is only valid after 30 or more days have passed since death (a one month delay). Also, if the deceased left no spouse but multiple adult children, then each child must execute an heirship affidavit at the bank. In this case the family would be responsible for the funeral charges and would receive their distribution from the bank at a later date.

### ***Question #15***

If I have a power of attorney for my deceased relative can't I just go to the bank and get the money?

#### ***Answer:***

Power of Attorney is only valid while the subject is living and is terminated upon their death. Once a person dies, if they have a Will it must be probated or executed, and only then will the court provide the executor or executrix with legal documents to handle the decedent's affairs. Unfortunately, this all takes time and usually prohibits having a funeral in a timely fashion. If there is no life insurance that can be verified and assigned by a beneficiary then the executor, executrix or the family will be responsible for the funeral expenses.

### ***Question #16***

How do you arrange a funeral if the deceased left no money or insurance?

#### ***Answer:***

If the deceased died without leaving any assets such a pre-funded funeral trust like PrePlan or adequate life insurance to arrange a funeral then the responsibility of paying funeral expenses falls on those surviving relatives or friends who wish to hold the funeral.

Federal and State agencies such as SSI or Medicaid do not provide any benefits directly to funeral homes for payment of services. Social Security may provide a death benefit of \$255 to a surviving spouse if they qualify.

Each local county government where the deceased lived has a Department of Human Resources or Social Services (NYC has one Dept. for Human Resources located in Brooklyn that handles all burial claims) that will take an application for a burial benefit for the deceased. There may be many rules and restrictions placed on the services that the department may reimburse the family.

It may be necessary for the family and friends to re-evaluate their wishes concerning funeral arrangements to more realistically reflect the financial resources available. Services such as a Direct Cremation or Direct Burial without a casket, viewing or service may have to be considered.

***Question #17***

Can I make the beneficiary of the life insurance policy pay the funeral bill?

***Answer:***

No. Once the insurance company verifies the identity of the beneficiary it is that person's decision on what they want done with the proceeds from the life insurance claim.

Such as:

- a. They could assign some or all of the life insurance proceeds over to the funeral home to pay funeral expenses or
- b. They have the right to refuse to participate in planning or paying for the funeral and may keep the entire life insurance proceeds for themselves

So choose your beneficiary carefully. When choosing a beneficiary consider avoiding children under the age of 18 because they can not assign their benefit and people with 'unstable' or 'problematic' lifestyles.

You may want the beneficiary to pay for the funeral expenses so that you or other family & friends don't have to, but there is no way to force them to do it.

## *Question #18*

If I want to be cremated when I die but my family doesn't believe in it. How can I be sure my wishes will be carried out?

### *Answer:*

Prepare ahead of time by making detailed pre-arrangements and pay for your arrangements by opening a PrePlan trust fund with the funeral home. (If you entrust the beneficiary of your life insurance to pay for the cremation and they refuse, then what?)

Go to a lawyer and have a properly executed Last Will & Testament prepared that in detail spells out your wishes to be cremated.

Appoint a 'Final Disposition Agent' to be in charge of your funeral arrangements and carry out your wishes upon your death. For simplicity this person should be the same person you named as Executor or Executrix in your will.

Make sure your wishes are known to others and your instructions are accessible in the event of your death. Your Lawyer, Executor/Executrix and Funeral Director should have copies of your directives. Locking them away in your safe-deposit box where no one can access them until much later after your death is not a good idea.

Doing the above things might assist with a speedy resolution over any conflict that should arise between surviving members of your family.

If all else fails the funeral is postponed, the disputing family members usually hire lawyers and go to the County Supreme Court where you lived for a judge to rule on the final disposition of the remains and issue the funeral home a court order.

### ***Question #19***

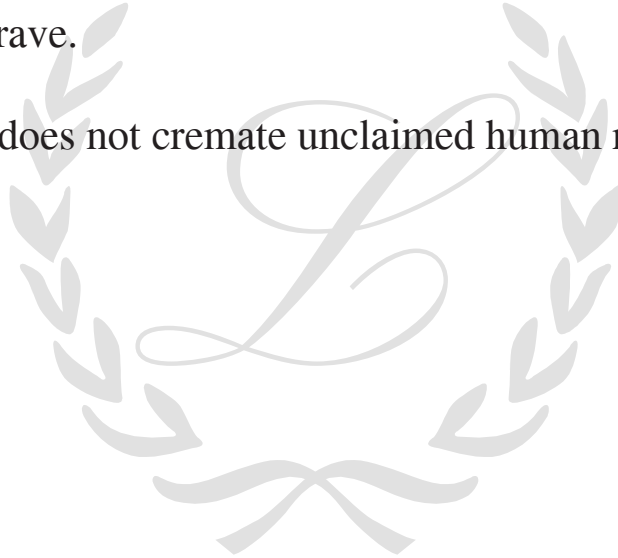
What happens to the deceased if no one comes forward to claim the body and make funeral arrangements?

### ***Answer:***

In New York City unclaimed human remains are eventually buried in City Cemetery located on Hart Island.

There is no casket or funeral and the remains of other unclaimed deceased typically will occupy the same grave.

The City of New York does not cremate unclaimed human remains.







# ***OUR COMMITMENT TO YOU***

Our policy is to serve every family we encounter with compassion, dignity and respect. From the time of initial contact you will find our staff patient and understanding and ready to assist you during a difficult time.

Our high level of professionalism and attention to detail, while still maintaining affordable levels of service for the communities we serve, are our foundation.

Paul Lane Funeral Home Inc. has been serving families in the greater Southeast Queens area and abroad since 1954.

We are family-owned and operated. Second generation funeral directors, Paul P. Lane, Jr. and Milton W. Lane, follow in the footsteps of their late father, Paul P. Lane, Sr., by bringing dignity and value to the families they serve.

We have just completed a major renovation and redesign to our facility and website. Our chapels and lounge now feature many flat panel TV's that can display a memorable video tribute to your loved one with the pictures that you provide and a copy of the DVD after the services to keep for your memories. We also have a Mobile Video Tribute System that can be transported to church for a video presentation during the viewing or wake.

We offer a DVD Video Tribute as part of our service because we know the families we serve appreciate it during services as they reminisce on the happy memories and after the services as a keepsake and memento. If a picture can say a thousand words, let yours tell the story of a lifetime. With our DVD Video Tribute the memories can be shared with generations to come.

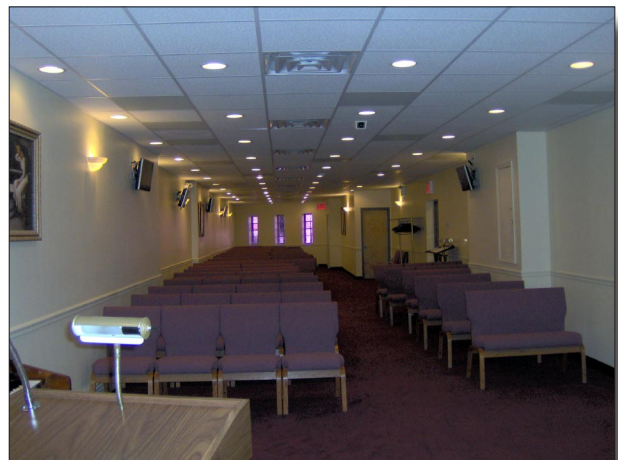
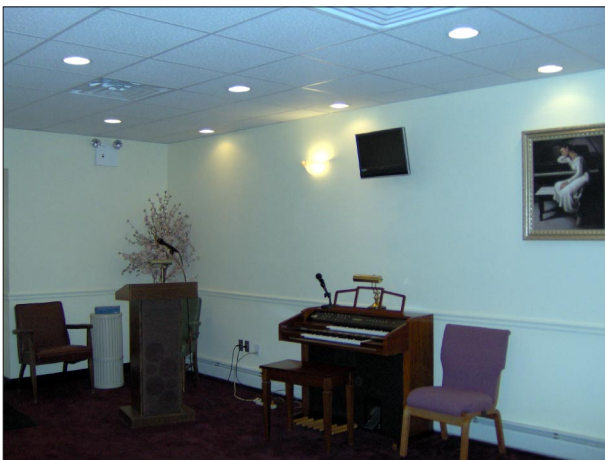
We have tried to provide many answers to your questions about pre-planning your funeral and pre-arrangements for your convenience. We provide information on PrePlan, which is a personal trust fund run by the New York State Funeral Directors Association, as well as answers to some frequently asked questions about prepaying your funeral.

On our website you will also find some helpful resources such as lists of local florists and hotel accommodations for your out of town guests. Your family and friends are invited to visit the Book of Memories on our site for your loved one and leave their condolences for you online to be read later during the funeral service.

### ***A QUALITY OF CARE***

While the staff of Paul Lane Funeral Home, Inc. is involved with death on a daily basis, we never forget that completing all the necessary arrangements of a funeral service is a task most families face only a few times. We can assist you in completing all of the arrangements within your financial means and with the special preferences you desire. Our intention is to help make every ceremony personal and meaningful, and truly reflective of the life that was lived.

Thank you,  
The Staff of Paul Lane Funeral Home, Inc.





*Paul Lane*  
**FUNERAL HOME**

115-33 Sutphin Boulevard  
Jamaica, New York  
**(718) 659-6260**  
**[www.paullanefuneral.com](http://www.paullanefuneral.com)**

*Paul P. Lane Jr.*

*Milton W. Lane*

*Valerie M. Thomas*

**LICENSED FUNERAL DIRECTORS**