

THE THANAGRAM

Summer 2020

Official Publication of the Tennessee Funeral Directors Association, Inc.

President's Message

Randy Nash • TFDA Board of Directors



IN THIS ISSUE

**TN Recovery
and Safe
Harbor Act**

Obituaries

**Convention
Memories
from the Past**

Dear Friends and Colleagues,

I hope this letter finds you doing as well as can be expected during this interesting time in our lives. The past few months have been one for the books, literally! I never thought I would see a pandemic in my lifetime and I definitely did not think that I would be the President of our association during a time like this. This edition of *The Thanagram* would normally be our convention edition, but with the cancellation of our 2020 Convention we decided to revisit some conventions from the past and I hope you enjoy the many pictures we have included, special thanks to all who contributed photos.

Over the course of these last few months things have been difficult, there's no other way to put it. The way that we serve families changed almost overnight, but even in times of adversity you all have continued to do what you do best. I applaud all of you for the way in which you have weathered these difficult times and will continue to navigate the uncharted waters that lie ahead.

In the spring issue of *The Thanagram* we asked for donations in lieu of having our convention and our call was answered. I want to extend a huge thank you to all members and vendors who were gracious enough to donate to our association. It means a lot to our board and staff to see how much this association means to so many across our great state. I also ask that when you consider giving, that you would consider the TFDA PAC Fund. The PAC fund is vital to what we do when advocating and working on legislation on your behalf.

On a more personal note, I want to say that it is an honor to be able to serve once again as President of the Tennessee Funeral Directors Association. As long as I can remember this was something that I always wanted to do, not only be a funeral director but to also be able to advocate and serve those who serve others. I believe I can speak on behalf of our entire board and say that it is truly an honor to serve. Please know that we are here for you at anytime and also that all of our members are in my prayers daily as you continue to serve during this time.

Yours in Service and God Bless,
Randy Nash
TFDA President



The Tennessee Funeral Directors Association Board of Directors and Staff are here for you.

Our Mission:

To be the Tennessee Funeral Professional leadership advocate, through communication, education and legislation, thereby empowering the licensed funeral professional the ability to serve at the highest level.



2019-2020 TFDA Board of Directors



PRESIDENT
Randy Nash
(Term 2019 - 20)
Sumner Funeral & Cremation
128A West Eastland Avenue
Gallatin, TN 37066
Phone: (615) 452-9059
Email: mashjr@gmail.com



VICE PRESIDENT
Marc Sims
(Term 2019 - 20)
Karnes & Son
Funeral Home
134 West College St.
P.O. Box 289
Dyer, TN 38330
(731) 692-3711
karnesandson@karnesandsonfuneralhome.com



SECRETARY-TREASURER
Brent McNeely
(Term 2016 - 19)
Walters Funeral Home, LLC
509 E Central Ave
Lafollette, TN 37766
(423) 562-2424
Brentmcneely@bellsouth.net



IMMEDIATE PAST PRESIDENT
Justin Jeffers
(Term 2019 - 20)
Jeffers Funeral & Cremation Service
208 North College St.
Greeneville, TN 37745
Phone: (423) 639-2141
jeffersjustin@yahoo.com



DIRECTOR WEST
Jeff Shackelford
(Term 2017 - 20)
Shackelford Funeral Directors of Bolivar
109 Mecklinburg Drive
PO Box 232
Bolivar, TN 38008
(731) 658-6111
Jeff.shackelford@sfdcures.com



DIRECTOR MIDDLE
Mandi Marlin
(Term 2017-20)
Williamson Memorial Funeral Home and Cremation Services
3009 Columbia Ave.
Franklin, TN 37064
(615) 794-2289
mandi@williamsonmemorial.com



DIRECTOR EAST
Mitchell Kyker
(Term 2018 -21)
PO Box 232
Harriman, TN 37748
W- 865-882-1515
C-865-599-6333
Mitchell@Kyker.net



TFDA POLICY BOARD REPRESENTATIVE
Chris Christian
(Term 2016 - 18)
Christian Sells Funeral Home
1520 E. Main Street
Rogersville, TN 37857
(423) 272-0555
office@christiansells.com



DIRECTOR WEST
Patrick Williams
(Term 2018 - 21)
Johnson-Williams Funeral Home
P.O. Box 180
Newbern, TN 38059
731-627-3236
johnsonwilliamsfuneral@gmail.com



DIRECTOR MIDDLE
Rosemary Harrison
(Term 2019 - 22)
Woodfin Funeral Chapel
1488 Lascassas Pike
(Hwy. 96)
Murfreesboro, TN 37130
(615) 893-5151
rosemaryharrison@woodfinchapel.net



DIRECTOR EAST
Laura Farrar Cantrell
(Term 2017-20)
Farrar Funeral Homes
162 East Meeting Street
P.O. Box 1025
Dandridge, TN 37725
(865) 397-2711
laura@farrarfuneralhome.com

EXECUTIVE DIRECTOR
Robert W. (Bob) Batson

EXECUTIVE DIRECTOR ASSISTANT
Dawn Elliott
Tennessee Funeral Directors Association
1616 Church Street, Suite A
Nashville, TN 37203
(615) 321-8792
Bob@tnfda.org • Dawn@tnfda.org
office@tnfda.org

TFSD Board of Directors



PRESIDENT

W. Jack Farrar, CFSP
Farrar Funeral Homes
162 East Meeting Street, P.O. Box 1025
Dandridge, TN 37725
(865) 397-2711
farrar3000@bellsouth.net

BOARD MEMBERS

Tommy Howell
Lawrence Funeral Home
203 South Horton Parkway, P.O. Box 8
Chapel Hill, TN 37034
(931) 364-2233
Funeralhome@united.net

Daniel Ownby

Weaver Funeral Home
630 Locust Street, P.O. Box 324
Bristol, TN 37620
(423) 968-2111
dpownby@aol.com

Brad Ridgeway

Ridgeway Funeral Home
201 Dunlap Street, P.O. Box 788
Paris, TN 38242
(731) 642-2121
Ridgewayfh@gmail.com

Tony W. Hysmith, CFSP

Shackelford Funeral Directors - Casey Chapel
304 Crook Avenue
P.O. Box 66
Henderson, TN 38340
(731) 989-2421
twhysmith@bellsouth.net

TFDA GENERAL COUNCIL

J. Russell "Russ" Farrar
Farrar & Bates, LLP
(615) 321-8792

TFDA LOBBYIST

J.A. "Jay" Bucy
Capitol and 5th Public Strategies
(615) 417-5826

Endorsed Preneed Provider



Funeral Fund Financing



Exclusive Premier Partner



The Thanagram is an official Newsletter published by the Tennessee Funeral Directors Association. Individual written contributions and advertisements appearing in **The Thanagram** do not necessarily reflect either the opinion or the endorsement of the Tennessee Funeral Director's Association.

TFDA PRESIDENT

Randy Nash
Sumner County Funeral
and Cremation Services, LLC
128A West Eastland Ave
Gallatin, TN 37066
(615) 452-9059
rnashjr@gmail.com

TFDA VICE PRESIDENT

Marc Sims
Karnes & Son Funeral Home
134 W College St
PO Box 289
Dyer, TN 38330
(731) 692-3711
karnesandson@karnesandsonfuneralhome.com

SECRETARY/TREASURE

Brent McNeely
Walters Funeral Home, LLC
509 E Central Ave
Lafollette, TN 37766
(423) 562-2424
Brentmcneely@bellsouth.net

IMMEDIATE PAST PRESIDENT

Justin Jeffers
Jeffers Funeral & Cremation
Service
208 North College Street
Greeneville, TN 37745
(423) 639-2141
jeffersjustin@yahoo.com

DIRECTOR-WEST

Jeff Shackelford
Shackelford Funeral Directors
of Bolivar
109 Mecklinburg Drive
PO Box 232
Bolivar, TN 38008
(731) 658-6111
Jeff.shackelford@sfdcarnes.com

DIRECTOR WEST

Patrick Williams
Johnson-Williams Funeral
Home
PO Box 180
Newbern, TN 38059
(731) 627-3236
johnsonwilliamsfuneral@gmail.com

DIRECTOR MIDDLE

Mandi Marlin
Williamson Memorial Funeral
Home
and Cremation Services
3009 Columbia Avenue
Franklin, TN 37064
(615) 794-2289
mandi@williamsonmemorial.com

DIRECTOR MIDDLE

Rosemary Harrison
1488 Lascassas Pike (Hwy. 96)
Murfreesboro, Tennessee 37130
(615) 893-5151
rosemaryharrison@woodfinchapel.net

DIRECTOR EAST

Laura Farrar Cantrell
Farrar Funeral Homes
162 East Meeting Street
P.O. Box 1025
Dandridge, TN 37725
(865) 397-2711
laura@farrarfuneralhome.com

DIRECTOR EAST

Mitchell Kyker
Kyker Funeral Homes
PO Box 232
Harriman, TN 37748
(865) 882-1515
mitshell@kyker.net

TFDA Executive Director

Bob Batson
1616 Church Street
Nashville, TN 37203
(615) 321-8792
bob@tnfa.org

To All TFDA Members,

With COVID-19 related lawsuits on the rise across the country, employers, employees, and consumers are challenged with navigating a new landscape of potential liabilities during these unprecedented times. As the largest funeral association in Tennessee, TFDA is committed to leading the funeral profession through this extraordinary period.

As businesses throughout the state gradually reopen, Tennessee funeral establishments have expressed deep concern they will soon be subject to unwarranted litigation, despite investing significant cost and effort to implement protective measures designed to keep their employees and families they serve safe.

TFDA is supporting legislation seeking to provide necessary protection against unsupported legal claims, allowing funeral homes to resume operations with confidence grieving families are receiving the essential services funeral professionals provide. The Tennessee Recovery and Safe Harbor Act will provide broad civil liability protection from “health emergency claims” protecting funeral directors from unnecessary lawsuits.

Under this act, TN funeral establishments will not be liable for any damages, injury, or death that results from a health emergency claim if the funeral establishment (1) did not act with gross negligence or willful misconduct, and (2) substantially complied with applicable public health guidance.

A “health emergency claim” includes any cause of action that is related to the following circumstances: The actual, alleged, or possible exposure to, or contraction of, Coronavirus from a funeral establishment or arising from a funeral establishments operations, products, or services; or efforts to prevent or delay the spread of Coronavirus.

As funeral professionals have been faced with interpreting a complex framework of local, state, and federal guidelines, the Tennessee Recovery and Safe Harbor Act adopts a comprehensive definition of “public health guidance,” which includes all forms of governmental guidance and direction released throughout the progression of the pandemic.

However, The TN Recovery and Safe Harbor Act does not excuse bad actors! This legislation intends to provide protection from the financial toll and distraction of legal defense, it does not create blanket immunity from pandemic-related lawsuits. Protection from health emergency claims does not apply if a claimant proves by clear and convincing evidence that the funeral establishment caused damages, injury, or death by acting with gross negligence or willful misconduct.

In order to overcome the act’s safe harbor from health emergency claims, a claimant must demonstrate that the harm alleged was caused by the funeral establishment’s gross negligence or willful misconduct; and did not substantially comply with applicable public health guidance.

To prevent costly defense of unsubstantiated litigation, claimants will be required to meet a heightened standard of pleading specific facts with particularity for a health emergency claim to advance.

It is now more important than ever the guidelines set forth by the Tennessee Governors Executive Orders pertaining to funeral establishments, US Center of Disease Control, and all local guidance be followed closely. Funeral establishments are strongly encouraged to:

- Follow the Health Guidelines set by the Governor's Executive Order 38 and maintain appropriate social distancing as provided for herein to the greatest extent practicable,
- That any large public celebration component of funerals be postponed or attended only by close family members.
- Have a private viewing for only immediate family and/or close friends,
- Have a private viewing for only immediate family and/or close friends and have a large memorial service for all family and friends at a later date.

Other Useful Suggestions

- Keeping soap dispensers filled in public (and employee) restrooms. The CDC has several informational flyers on handwashing you can post in public and staff restrooms,
- Offering alcohol-based hand sanitizer that contains at least 60% alcohol to guests (and employees).
- Having extra tissues and waste baskets on hand,
- Using extra precautions with the register book, a high-touch area that could be a potential source for contamination,
- Put hand sanitizer next to the register book with a sign encouraging its use before signing.
- Suggest the family designate one individual to stand at the register book to record the names of individuals as they come in.
- Scaling back direct contact with families and guests (e.g., handshakes, hugs, etc.)

TFDA also encourages all members to be vigilant and proactive and search for additional information. Websites such as National Funeral Directors Association, www.nfda.org, or the US Center for Disease Control, www.cdc.gov, offer many options and ideas protecting you, your staff, and clientele.

Sincerely,

The TFDA Government Affairs Committee

David Murphy, Chairman

Best Quality Pouch Laminators

- Durable extruded aluminum housing
- Compact design in 3 sizes
- Quiet & safe operation



Made in USA

1-800-821-1333 www.lamcraft.com

Visit LAMCRAFT on social media.     

ANSERCALL

The Perfect 24/7 Answering Service for your Funeral Home

Cindy Hutchinson, General Manager
1-888-649-1983

P.O. Box 4231 • Laurel, MS 39441-1231
www.ansercall.com

Paid Advertisement

TIME TO THINK ABOUT SUCCESS

hospice  advisors

ADVISORY SERVICES

Keep your funeral home plugged into the conversations between hospice and families by speaking the language of hospice and developing a strategy that is tailored to your funeral home's needs. As a Hospice Advisors client your funeral home will work closely with our experienced and dedicated team of hospice and funeral service professionals to implement novel solutions designed to cultivate mutually beneficial partnerships with local hospice providers.

WHAT WE PROVIDE



DATA DRIVEN BUSINESS PLANNING



MARKETING TOOLS



MONTHLY WEBINAR SERIES



CONVENTION SPEAKERS

CONTACT

Kurt Kazanowski at 734.658.6162 or visit hospiceadvisors.com/contact/ to learn more and request the 2020 Hospice Advisors Resource Guide for Funeral Homes



lendingUSA™ | funeral

Offer Families a Low Monthly Payment Option

We are the only financing solution exclusively endorsed by the Tennessee Funeral Directors Association. Let us show you how we're redefining the way families pay for funeral arrangements.



A real choice for families in need

Call 855-923-0096 | Visit Lendingusa.com/tnfda

All loans are made by Cross River Bank, a New Jersey State Chartered Bank, Member FDIC. Loan amounts range from \$1,000 to \$35,000. These marketing materials are only directed to prospective merchants and not intended for consumers. Loans are not available in Connecticut, New Hampshire, Vermont, or West Virginia. Other terms and conditions may apply. LendingUSA | 15305 Ventura Blvd., Suite 350 | Sherman Oaks, CA 91403. Copyright © 2018 LendingUSA, LLC. All Rights Reserved.

TFDA would like to thank the following Tennessee funeral professionals by supporting our legislative efforts with their generous donations.

2019 - 2020 TFDA LEGISLATIVE CONTRIBUTIONS
PLATINUM CONTRIBUTIONS ABOVE \$200
Arrington Funeral Directors
Central Funeral Home, LLC
Cumberland Funeral Home, Inc.
Karnes & Son Funeral Home, Dyer
Karnes & Son Funeral Home, Kenton
Karnes & Son Funeral Home, Rutherford
King, Glen, Individual member
Layne Funeral Home
Layne Funeral Home & Cremation
Spann Funeral Home
Williamson Memorial Funeral Home & Gardens
GOLD CONTRIBUTIONS \$150 TO \$200
Abercrombie, Ken, Individual Member
Anthony Funeral Home, Inc.
Bilbrey Funeral Home, Inc.
Bodkin Funeral Home, Inc.
Bordwine Funeral Home
Christian-Sells Funeral Home
Click Funeral Home, Inc.
Evans Mortuary
Farrar Funeral Homes
Harpeth Hills Funeral Home
Holley-Gamble Funeral Home, Clinton
Hooper & Huddleston Horner Funeral Home
Hunter Funeral Home, Watertown
Jeffers Funeral & Cremation Services
Johnson-Williams Funeral Home
Lea & Simmons Funeral Home
Ligon & Bobo Funeral Home, Inc
McGill Click Funeral Home
Moore-Cortner Funeral Home
Murphy Funeral Home & Florist
Neal Funeral Home, Inc.
Oakes & Nichols, Inc.
Pafford Funeral Home
Ridgeway Funeral Home
Sanderson Funeral Home-Hackett Chapel
Sanderson Funeral Home Carthage
Shackelford Funeral Directors of Henderson
Walters Funeral Home
Weatherford Mortuary
Woodfin Funeral Chapels
SILVER CONTRIBUTIONS \$100 TO \$149
Replogle-Lawrence Funeral Home
Shackelford Funeral Directors of Selmer
Turner Funeral Home
BRONZE CONTRIBUTIONS
Shelton Funeral Home
Shelton-Hunt Funeral Home
Yarbrough Mortuary Services

Our mission statement proclaims “*TFDA facilitates the success and quality service of funeral professionals through leadership, advocacy, and education.*” Advocacy is a huge portion of what TFDA provides to TN funeral professionals. The benevolence of these generous contributors allows TFDA to fulfill this most important component of our mission.

Just to give you a few examples of the importance of TFDA legislative efforts of which you may not be aware:

Liability Limitation – Maybe the most important accomplishment from TFDA’s legislative efforts was the successful passage of several statutes eliminating liability for funeral directors both criminally and civilly. This protection applies if the licensee has no reason to believe that the person making the arrangements did not act in good faith. This was a huge liberation for funeral professionals being held responsible for situations of which they have no control.

Right to Work bill. Over the past few years there has been several attempts to eliminate, or at best, minimize, supervisory authority of many TN regulatory boards; TN Board of Funeral Directors and Embalmers, included. The proposal included no formal education as a prerequisite to the right to practice as the license would be eliminated. The only requirements would be to serve an apprenticeship and to pass the TN funeral director/embalmer test. TFDA was able to convince legislators of the importance of educating funeral directors as a public safeguard.

Electronic Death Certificates – Although no legislation was needed, TFDA and especially the TFDA Governmental Affairs Committee (GAC) played a major role in implementing the VIRSM program in TN. Several members of the GAC worked closely with TN Vital Records Department in getting VIRSM to the funeral homes and assisting with operation assistance when needed.

These are but a few examples, there are many more.

As in today’s world all good things come with a price. In order to continue the protection and enhancement of our profession, TFDA would respectfully ask for your assistance to join efforts with these generous donors with a donation of your own. Please help TFDA in support of our mission to facilitate the success and quality service of Tennessee funeral professionals.

Wilbert®

MEMPHIS NASHVILLE LIVINGSTON
JACKSON LAWRENCEBURG KNOXVILLE
CHATTANOOGA JOHNSON CITY

Wilbert Burial Vaults of Tennessee

PRENEED LIFE INSURANCE FUNDING
AVAILABLE THROUGH



Multi-Pay, Single Pay
& Annuity Plans

*For more information on what Columbian
can do for you, contact us today!*

Troy Matthews, CPC
Regional Sales Director
Tennessee
Cell: (252)532-4629

Also servicing FL, KY, LA and NC



Columbian Life Insurance Company: Home Office: Chicago, IL;
Administrative Service Office: Binghamton, NY
Product availability, issue limits, and regulations may vary by state.

FAMILY OWNED AND OPERATED SINCE 1893

Dodge

KEN COLLINS

931-510-5015

KCOLLINS@DODGECO.COM

<https://shop.dodgeco.com> / www.dodgeco.com

HELPING YOU MAKE ALL THE DIFFERENCE

TEL 800-443-6343 / FAX 800-443-4034

Tennessee Funeral Directors Association & Tennessee Funeral Supply Sales Club

Conventions Past

As far back as we can remember, never has an TFDA/TFSSC Annual Convention been cancelled because of a pandemic.

Every year for the Summer issue of The Thanagram, we publish pictures along with the details of events that occurred during that year's convention.

This year we decided to go down memory lane from some of the conventions past. As we put this issue together, there were so many emotions experienced. Seeing how many of our association greats that have left us but at the same time, so many wonderful memories.

We hope you enjoy this walk down memory lane.

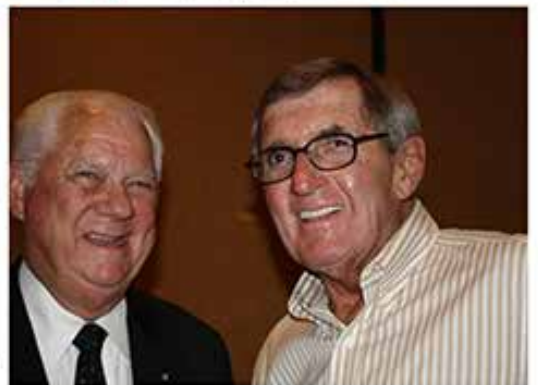
A special thank you goes out to Fred Adomat, East Tennessee Mortuary Service and Linda Yarbrough, Yarbrough Mortuary Service in the collection of the pictures published.

















Living Memorial[®] PROGRAM

“I will smile when I think of a small sapling growing tall over the years.”

The significance of a unique life is symbolized with the planting of a tree.

While nothing can take the place of a loved one, there is comfort in knowing that as one life ends, a new one is just beginning. Since 1976, the Living Memorial has helped re-establish thousands of acres in national forests and woodlands destroyed by fire, blight and other natural disasters.

Thanks to our partnership with funeral professionals, more than 14 million seedlings have been donated as living legacies to loved ones who have passed. We are proud to continue to offer this free program to families who purchase Batesville caskets, full size urns and containers.*

*Not all products qualify.



©2020 Batesville Services, Inc.

Obituaries



Brenton Dean “Brent” Warner, 46, of Kingsport went to be with the Lord on May 16, 2020.

He was a 1991 graduate of Sullivan North High School and a graduate of John A. Guppton Mortuary College. Brent dedicated his life to serving families at Carter-Trent Funeral Home for 28 years. He was a highly regarded TSSAA high school official as well as a college official. Brent was an avid runner and had completed the New York City Marathon along with many half-marathons. He proudly supported his community in many ways by serving on the board of the Little Ironman and Princess Delilah Foundation as well as donating his time and efforts to many other events and charities. Brent was a member of First Baptist Church of Kingsport and also attended Temple Baptist Church for many years. He was a loving husband, father, son, brother and friend to many.

Brent was preceded in death by his paternal grandparents, Paul and Beulah Warner; maternal grandparents, Rex and Hazel Trent; aunt, Ruth Ferguson; sister-in-law, Laura Surgenor Puckett.

Survivors include his loving wife, Carrie Elizabeth Warner; son, Blain Warner (9); daughter, Blair Warner (6); parents, Roger and Shirley Warner; brother, Brad Warner and wife Ammie; nieces, Aubree Puckett and Bradlie Warner; nephew, Alex Warner; father and mother-in-law, Michael and Frankie Surgenor; special uncle and aunt, Dean and Martha Trent; along with a host of special cousins, extended family, and friends.

Carter-Trent Funeral Home, downtown Kingsport, served the Warner family.



Thomas Matthew Sullenger

It is with regret we announce the passing of Mr. Thomas Matthew Sullenger, age 45 of Fayetteville, TN. Mr. Sullenger was born on September 12, 1974, in Tullahoma, TN to Thomas and Debra Sullenger. Matthew passed away on May 26, 2020 at Lincoln Medical Center.

Matthew was a funeral director at Higgins Funeral Home. He was of the Baptist faith. He loved his boys, his family, and

his baseball boys very much. He enjoyed coaching baseball, spending time with family and friends, bass fishing, as well as, making everyone smile. Matthew graduated from Moore County High School. After graduation, he attended Faulkner University, Slidell Baptist Seminary, and graduated from John A. Guppton College of Mortuary Science.

In addition to his parents, survivors include his children, Gavin and Breyer Sullenger, of Huntsville, AL and Joey Hobbs of Fayetteville; brother, Mark Sullenger of Tullahoma; nephew, Miles Sullenger of Winchester; and niece, Courtney Sullenger of Winchester; along with several aunts and uncles.

Tennessee Funeral Supply Sales Club President 1993 – 94
Tennessee Funeral Directors Association member



Kenneth Armond Abercrombie, Sr.

77, of Loretto, TN, passed away May 31, 2020 at his home. Kenneth was a 1960 graduate of Loretto High School and a 1964 graduate of Florence State Teachers College (now UNA). He was a member and Sunday School teacher at Greenhill First Baptist Church. Kenneth was the long-time owner and operator of Loretto to Casket Company, helping his uncle and aunt Hartie and Gladys Williams for many years. After its sale in 2003, he then became a Licensed Funeral Director, licensed in both Tennessee and Alabama, and a Licensed Preneed Councilor for Greenhill Funeral Home in Greenhill, AL. He was also the past President of Casket & Funeral Supply Association of American (CFSA). Kenneth was a proud member of American Legion Post #146 in Loretto, TN. He volunteered for the United States National Guard in 1965 and spent 6 years as a member of the guard. Kenneth was the Master of Ceremonies for the Annual Memorial Day Parade in Loretto for many years. He loved getting to meet, greet, and talk to all the people in and around the funeral business and also all around Greenhill and Loretto. He loved talking to the girls at Greenhill Pharmacy, hanging out with the men in the Coffee Group at the Pirate's Corner, and eating at St. Joe Cafe. He enjoyed attending the Breakfast and Prayer Group at Atlas Church of Christ and was also at one time a Certified KC Barbeque Judge. He was instrumental in bringing First Farmers and Merchants Bank to Loretto and was a member of the bank board for 26 years.

Kenneth was also a big supporter of the North Alabama Christian Children's Home. He was a past president of Loretto Lions Club. The one thing that Kenneth was most proud of was his family and especially his grandkids (and later great-grandkids). Kenneth was a loving father and was especially the best Grandpaw. He doted on and worried about them constantly. Kenneth is survived by: Sons: Kenny Abercrombie (April) of Loretto, John Abercrombie (Lawren) of Loretto, and Curt Abercrombie of Florence, AL Sister: Rozell Abercrombie Thigpen (Gerald) of Loretto, TN Grandchildren: Jake Abercrombie, Hunter Abercrombie (Ashley), Gram Abercrombie, Courtney Abercrombie, Landon Gabel, and Owen Gabel Special Niece: Christy Thigpen Wilson (James); and her children Bailey Urban and Samuel Wilson Mother of His Children: Carol Riddle Abercrombie Many other relatives and friends He was preceded in death by his parents, Milburn Curtis Abercrombie and Roberta Jordan Abercrombie. There will be a private funeral service for Kenneth on Tuesday, June 2, 2020 at Greenhill Funeral Home with Bro. Tim Grigsby, Bro. Miles Stutts, and Bro. Gregg Woodard officiating. Burial will be in Restview Cemetery in Loretto with full military honors. Pallbearers will be Jake, Hunter, and Gram Abercrombie, Philip Hardeman, John D. Cook, Landon and Owen Gabel, and Samuel Wilson. Honorary pallbearers will be Wayne Thigpen, David Busby, Stanley Fleming, Wayne Wilson, Gene Etheredge, Chris Urban, Wayne Goolsby, Richard Rohling, and Carl "Dub" Fowler. In lieu of flowers, the family asks that donations be made to St. Jude's Children Hospital, Greenhill First Baptist Church Building Fund, North Alabama Christian Children's Home, Restview Cemetery Fund, or the Charity of your choice. The family would like to thank Kyle McDow and Wade Marston for all their help.

Steve Britt, 58, of Kingsport, passed away at home on Thursday, June 4, 2020. He was a lifelong resident of Kingsport. Steve graduated from Dobyns-Bennett High School and Mid-America College of Funeral Service, Jeffersonville, Indiana. He was a member of St. Luke United Methodist Church. Steve was proud to have spent his 38 + years in funeral service



as an employee of Hamlett-Dobson Funeral Home. He was a master carpenter who enjoyed doing work for his friends and family. Steve also enjoyed riding his Harley, working in his yard, and spending time with his grandchildren, Cody and Gabby. Steve always got a kick out of telling how his grandmother, Hazel P. Martin, went to college with him.

He was preceded in death by his parents, Dave and Shirley Britt.

Steve is survived by his wife, Elizabeth Conkin Britt; daughter, Rachel Kindle and husband Dave; two grandchildren, Cody Goode and Gabby Kindle; two sisters, Becky Cabell and husband Jerry, and Janie Gortney and husband Chris; brother, Marty Britt; special nephews, Chad and Tyler Cabell and their families; niece, Stephanie Pangelinan and family; niece and goddaughter, Khazel Gortney, and nephew, Mikey Britt; father and mother-in-law, Dennis and Janet Conkin; brother-in-law, Matthew Conkin and his family; his Boykin Spaniels, Molly and Maggie; and his second family, co-workers of Hamlett-Dobson Funeral Home.



R&S MARKERS

Customizable temporary grave markers

www.rsmarkers.com

561-963-4732 – Lake Worth, FL

As low as \$4.50 per marker

Free Sample Upon Request

CONTINUING EDUCATION ON-LINE

John A. Gupton College has developed online continuing education courses. These courses have been approved for CEU hours by both Tennessee and Kentucky Boards. The online subjects range from funeral service history, embalming techniques, funeral home management, grief psychology and bereavement counseling. **For information concerning cost and program call 615-327-3927, go to our website at guptoncollege.edu or email admissions@guptoncollege.edu.**

JOHN A. GUPTON COLLEGE

1616 Church Street | Nashville, TN 37203
615-327-3927 | www.guptoncollege.edu

Families

Yours to serve. Ours to protect.



**Protecting
families for
over 95 years.**

Contact us today • (843) 573-3045 • www.aclico.com

Don Lucas • (615) 310-0636 • aclicdl@aol.com

■ ■ ■ ATLANTIC COAST LIFE INSURANCE COMPANY IS A MEMBER OF THE A-CAP FAMILY

UPDATE

Revisiting the Issue of Credit Card Surcharges

By T. Scott Gilligan, NFDA General Counsel

Credit cards are both a bane and blessing to all merchants, including funeral homes. From a cash flow perspective, funeral homes welcome the prompt payment provided by credit cards. In addition, consumers who are always looking for reward points, appreciated that a funeral home will accept credit cards.

However, credit cards also extract a fairly substantial price. Depending upon the credit card procession company the funeral home uses, the funeral home's cost of credit card acceptance may be from 2% to 5%. For a funeral costing \$10,000, that amounts to a financial hit of \$200 to \$500. As more and more consumers use credit cards, the overall impact imposed by credit card fees becomes substantial on the funeral home's bottom line.

The obvious response to losing 2 to 5 percentage points on every credit card sale is to impose a surcharge on purchasers who use credit cards. However, when credit card usage greatly expanded 40 years ago, Congress passed a law prohibiting merchants from imposing surcharges. Fortunately, in 1984, Congress allowed that law to expire and it has never been renewed.

Even though the federal law restricting surcharges expired, six states (CO, CT, KS, ME, MA, and OK) had state laws prohibiting surcharges. The number of states prohibiting surcharges used to be ten, but court challenges to surcharge restrictions in California, Florida, New York and Texas have overturned those laws. Whether the legal restrictions in the six states that still prohibit credit card surcharges survive similar challenges remains to be seen.

For funeral homes in the other 44 states that have allowed credit card surcharges, they gain the ability to impose credit card surcharges on January 27, 2013. That was the date that VISA and Mastercard stopped prohibiting surcharges on credit card users as a result of a settlement of an antitrust lawsuit. (VISA and Mastercard still prohibit surcharges on debit cards). Therefore, for the past 7 years, most funeral homes have had the option of imposing surcharges. But the vast majority of them have declined to do so. Why?

The first reason is probably a fear of antagonizing the consumer. No funeral home wants to be the first in its area to impose a credit card surcharge. This is not unique to funeral homes. In many markets, merchants have not instituted surcharges out of competitive concerns.

The second barrier to imposing credit card surcharges is the wide array of hoops that VISA and Mastercard require a merchant to jump through. Although VISA and Mastercard now allow merchants to impose surcharges, they have not made it easy to do so. Each has established extensive requirements that persuade many merchants, including funeral homes, to forgo credit card surcharges. Those surcharging requirements include the following:

1. Advance Notification. At least 30 days prior to imposing a surcharge, a merchant must complete online forms and submit them to VISA and Mastercard. The form must also be submitted to the merchant's credit processing company. VISA's form can be found at www.visa.com/merchantsurcharging and Mastercard's form at <https://www.mastercard.us/en-us/surcharge-disclosure-webform.html>.

If the funeral home accepts the Discover credit card, it may notify Discover by downloading the notice at www.discoversurcharge.com. There is no notification requirement for American Express.

The forms are not too difficult to fill out. However, they do require the merchant to describe the type of surcharge that will be imposed. The choices are Brand or Product. We will discuss these two types of surcharge below.

2. Notifications to Consumer. Both Mastercard and VISA require a merchant to provide at least three written notifications to consumers that it is imposing a credit card surcharge. The first written notification must be posted at the point of entry to the merchant's place of business. For a funeral home, this would mean the main entrance to the funeral home. The disclosure must include a statement that the surcharge that the funeral home imposes is not greater than the merchant's discount rate for credit card transactions. An example of the disclosure that could include both VISA and Mastercard requirements is found below:

If the funeral home is selling over its website and imposes a surcharge, the notification must be made on the first page of the funeral home's website that references credit card brands.

In addition to the disclosure at the point of entry, the funeral home must also disclose the surcharge practices at the point of sale. This would typically require the disclosure to be posted in the arrangement office. This disclosure must include percentages applied to the surcharge, a statement that the surcharge is being imposed by the merchant, and an indication that the surcharge is not greater than the merchant's cost of acceptance. A sample disclosure is found below:

The final disclosure regarding the surcharge must be made on the purchase order or receipt that is given to the consumer at the sale. That disclosure must list the dollar amount of the surcharge. Therefore, in the case of the funeral home, it would have to include on the Statement of Funeral Goods and Services Selected a listing showing the dollar amount of the credit card surcharge. That listing would have to be in the same print size and font as the other items on the Statement.

3. Caps on Surcharge. VISA and Mastercard have a 4% cap on all surcharges. Moreover, the companies also prohibit a merchant from charging more than the amount that the merchant pays to have the credit card processed. This makes it difficult for the merchant to collect the maximum surcharge amount because fees vary widely, especially with the flood of reward cards available to the public.

As noted above, there are generally two types of surcharges – Brand and Product. With a Brand surcharge, the merchant applies the same surcharge for all credit cards under a certain brand. For example, even though VISA has awards cards that may cost more to process, a merchant who imposes a Brand surcharge will impose the same percentage surcharge on all VISA credit cards. The other alternative is to impose Product surcharges. This requires the merchant to track the cost of processing each particular credit card. So, unlike a Brand surcharge where a funeral home would impose the same surcharge for all VISA cards, with a Product surcharge, each type of VISA card would have its own maximum surcharge. Obviously, the use of the Brand surcharge will be the easiest for the funeral home to use. It will allow the funeral home to impose a uniform surcharge for every credit card. Moreover, since VISA and Mastercard publish each year

the maximum surcharge cap, it is easy to determine what surcharge would be imposed.

In setting the maximum surcharge cap for Brand levels, Mastercard and VISA provide for different surcharges depending upon the type of merchant. For example, currently a grocery can only impose a maximum surcharge of 1.65% while businesses in the travel sector can up to 2.51%. Funeral homes would fall under "professional services" with a current maximum surcharge of 2.24%. While American Express, Discover and other credit cards allow surcharges, they all prohibit a merchant from discriminating against their cards. Therefore, the maximum surcharge imposed by the merchant on VISA and Mastercard would also have to be the maximum amount imposed on other credit cards like American Express and Discover. Therefore, if a funeral home in one of the 40 states where credit cards and surcharges are lawful decides to impose a surcharge, the need to notify VISA, Mastercard and their credit card processing company, post the required notices, and not exceed the maximum surcharge amount.

NFDA members with a question may contact Scott Gilligan at scott@gillianlegal.com. In addition, if your funeral home charges a credit card surcharge, we would like to hear about your experience in doing so, including any push-back from consumers.



3774 Summer Avenue
Memphis, Tennessee 38122
901-458-8575

Full-Service Mortuary Service
Funeral Director and Embalmers available
24 hours a day / 7 days a week
Assisting with
Removals – Transportation – Embalming
International Shipping - Cremations

Formerly
Affordable Cremation Society & Mortuary Service



MASTER FACEBOOK AND GROW YOUR BUSINESS

Interested in using Facebook to grow your business but don't know where to start? Let us show you how to harness the power of Facebook so you can engage and educate your community while increasing your preneed sales.

Let's breathe some life into your marketing together.



INVESTORS HERITAGE®

Your Legacy. Our Life's Work.

DOWNLOAD OUR SOCIAL MEDIA GUIDE AT
INVESTORSHERITAGE.COM/SOCIAL-MEDIA

Amb&Coach Sales

Service Since 1964

Authorized Dealer for
S&S • Superior,
Federal Coach • Eagle Coach

Proud member of
TFDA

Ellis Galyon
615-481-8021

Randy Garner
479-459-3641



Olympian

*Crown
Sovereign*



Kingsley



Kensington



888-336-8421 New: ambulanceandcoach.com • Pre-Owned: amb-coach.com

1212 Jo Johnston Avenue, Nashville, Tennessee 37203

New • Pre-Owned • Leasing • In House Financing • Parts

Help Families Make Online Arrangements with **FAMILY CONNECTIONS**



With Family Connections, your firm can provide each family with a private, password-protected planning website that allows them to:

- ✓ Preview and select choices for creating meaningful funeral services
- ✓ Browse and select caskets, urns, keepsakes and other funeral merchandise
- ✓ Complete biographical information for the death certificate and other forms
- ✓ Upload favorite photographs for an online obituary or video tribute

**Contact your Matthews Aurora Funeral Service Consultant
for more information or visit matthewsaurora.com.**

2020 TFDA-TFSSC CONVENTION

ADVOCATE COMPANIES

The TFDA would like to acknowledge the following companies as 2020 TFDA-TFSSC Convention Advocates. These companies have unselfishly donated exhibition and/or sponsorship fees in support of the cancellation due to the COVID 19 pandemic. The TFDA-TFSSC Convention is indeed fortunate being associated with such generosity.



TFDA Member Convention Contributors

~ Contributions Total \$5,000 ~

Anglin Funeral Home	Shackelford Funeral Directors, Bolivar
Bordwine Funeral Home	Shackelford Funeral Directors, Waynesboro
Christian-Sells Funeral Home	Shackelford Funeral Home of Henderson
Farrar Funeral Home, Dandridge, Jefferson City, White Pine	Smith Funeral and Cremation
Jeffers Funeral & Cremation Services	Smith Mortuary Company, Inc.
Karnes & Son Funeral Home, Dyer, Kenton & Rutherford	Sumner Funeral & Cremation
Ridgeway Funeral Home	Walters Funeral Home
Shackelford funeral Directors of Selmer	Young Funeral Home

The Tennessee Funeral Directors Association
would like to say a special thank you to
The Independent Funeral Group, Brad Kuchnicki, Executive Director
along with all their members for your donation of \$10,000.

THE Independent
FUNERAL GROUP