

**Opposition Testimony Before the Maryland Legislature
Regarding Senate Bill 0957 and House Bill 1051
Presented by Holly K. McComas, 7th Generation Funeral Director, McComas Funeral
Home, P.A. Date: February 25, 2025 (Senate Finance Committee) & March 10, 2025
(House Health Government Occupations Committee)**

Chairperson, Members of the Committee,

Thank you for the opportunity to provide testimony in opposition to Senate Bill 0957 and House Bill 1051, which propose to allow the establishment of not-for-profit funeral homes in Maryland. While the stated intent of these bills is to expand funeral service options and affordability, there are significant concerns that merit the Legislature's careful consideration.

1. Maryland's Funeral Home Market Already Ensures Affordability & Competition

- Maryland funeral homes currently offer pricing that is competitive and often below the national average. This demonstrates that for-profit funeral homes are already balancing financial viability with affordability.
- The introduction of not-for-profit funeral homes risks altering market dynamics in a way that could drive up long-term costs rather than reduce them.
- There is no strong indication of widespread public dissatisfaction with existing funeral services, making the necessity of this legislation unclear.

2. Regulatory & Consumer Protection Concerns

- Maryland funeral directors have voiced significant concerns regarding the potential for religiously affiliated not-for-profit organizations to operate funeral homes and crematories while seeking religious exemptions from key regulations.
- If such exemptions were granted, it would create an unfair competitive advantage, weakening the regulatory framework designed to protect consumers and ensure public health and safety.
- The closure of Heaven Bound Cremation Services in Charles County due to mismanagement and financial instability serves as a cautionary example of why rigorous oversight and financial stability are crucial in this industry.
- **The Maryland State Board of Morticians has NO jurisdiction or authority over a non-licensed owner (or non-licensed Board of Directors which a not-for-profit practices under)- The "Supervising Mortician"**

will act on behalf of the “owner” or “board” and suffer the consequences for any misdeeds – not the “owner” or “board”.

- **A clear example of the risks involved in non-licensed ownership arose when a funeral establishment in Maryland was sold to an individual from Pittsburgh with no mortuary background. Under his ownership, multiple supervising morticians were cited for violations stemming from poor business practices beyond their control. Instead of correcting the underlying issues, the establishment simply replaced each cited mortician, creating a revolving door of professionals while the non-licensed owner remained untouched by the law. This case demonstrates why the current licensing requirement is essential for the protection of both consumers and professionals. We learned from past issues.**
- **A more recent lesson should be learned from the closure of Heaven Bound Cremation Service in Charles County, which was shut down by their local health department. This situation highlights the critical need for strong regulatory oversight and the importance of ensuring that only licensed professionals are entrusted with the operation of funeral establishments. Without proper licensure requirements, similar incidents may continue to occur, putting consumers and industry professionals at risk.**

3. Risk of Lower Standards and Financial Instability

- For-profit funeral homes are required to meet strict consumer protection laws, ensuring high-quality service, transparency, and accountability.
- Not-for-profit funeral homes may lack the financial resilience necessary to sustain long-term operations, particularly in high-cost areas like Montgomery County. Financial instability could lead to reduced service quality or hidden costs for families.
- Without licensed funeral director/mortician ownership accountability, not-for-profit funeral homes could become susceptible to mismanagement or ethical concerns, jeopardizing consumer trust.

4. Economic & Employment Impacts

- For-profit funeral homes contribute significantly to Maryland’s economy through taxes and job creation. The transition to a not-for-profit model could diminish tax revenues and employment opportunities in the funeral services sector.
- The majority of Maryland’s 217 existing funeral homes are long-standing businesses that provide 1916 stable jobs and are integral parts of their communities. The McComas Funeral Home was established in 1808, 217 years ago. We currently employ 14 full-time

employees and over 51 part-time employees. Disrupting this economic fabric could have unintended consequences for both employees and local economies.

- **Many local for-profit businesses give back to their communities, both financially and through volunteer efforts. These contributions support local charities, community programs, and public initiatives. In contrast, not-for-profit businesses do not provide the same level of community reinvestment, actually, they want the community to reinvest in them, which could place additional financial burdens on the community and government to increase funding for yet more local nonprofits.**

5. Lack of Compelling Evidence Supporting This Bill

- There is no comprehensive research or data demonstrating an unmet need for not-for-profit funeral homes in Maryland.
- The bill does not account for the perspectives of faith-based groups that have successfully partnered with existing funeral homes for decades.
- Maryland's existing regulatory framework has been upheld in federal court (*Brown III v. Hovatter*, 2009) as a reasonable and effective means of ensuring accountability in the funeral services industry.

6. Serious Concerns Regarding Licensing and Accountability

- Senate Bill 0957 and House Bill 1051 would allow unlicensed individuals to operate funeral homes, **violating Section 7-309 of the Maryland Health Occupations Code.**
- The Maryland Legislature has previously restricted funeral home ownership to licensed professionals for valid public health and consumer protection reasons.
- Not-for-profit entities have no owners or shareholders, and their governance structures can include individuals with no training in mortuary science.
- The proposed legislation would open the door for individuals with criminal histories to establish and control funeral establishments, posing risks to consumer funds and operational integrity.
- **If individuals wish to own and operate a funeral home, they can pursue proper education, training, and licensure, rather than bypassing established professional requirements through this proposed legislation. The requirements include learning human anatomy, microbiology, thanatology, business management, mortuary law, business law, funeral principles, funeral customs and practices, serve 1000 hours of an apprenticeship, get a criminal background check, apply to the Maryland Board of Morticians to determine if they requisite knowledge, character and fitness to become a licensed funeral service provider. Once they have met the requirements, they are free to open a funeral establishment and operate without a profit if they wish.**

This begs the question, why would someone want to be a part of a not-for-profit funeral establishment? What are they getting out of it? It will be one more handout for government funding. Not-for-profit does not equate to “cheap” services for the consumer. I could actually see it costing a whole lot more for the consumer. Funeral supplies/products are not cheap or inexpensive for anyone including not-for-profit organizations. Furthermore, I would be surprised to find a whole lot of quality people “volunteering” to work and be on call 24 hours a day to cover 365 days a year including holidays and weekends to do work that is not predictable or “pretty”.

Conclusion: Preserve Maryland’s Strong Consumer Protections and Economic Stability

- Maryland’s funeral home industry is already well-regulated to protect families while fostering competition and affordability.
- The proposed shift toward not-for-profit funeral homes threatens to introduce financial instability, reduce accountability, and create unnecessary disruptions in an industry that has successfully served Maryland residents for generations.
- Given the absence of compelling evidence supporting this bill and the significant risks associated with its passage, we strongly urge the Legislature to oppose Senate Bill 0957 and House Bill 1051.

Thank you for your time and consideration.

Respectfully submitted,

Holly K. McComas
7th Generation Funeral Director, Est. 1808

McComas Funeral Home

1317 Cokesbury Road

Abingdon, MD 21009

(410)688-6746 cell

(410)676-4600 funeral home