



MEMENTO MORI

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Navigating the Aftermath of 9/11

How First Responders Continue to Fall Victim 19 Years Later

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for First Responders

A Funeral Rule Update

Marketing and the FTC

A large, blue, stylized figure resembling a snake or a person in a suit with a long neck and open mouth, holding a flask. A small red figure is running away from it. The background is a light beige gradient with a dark grey ground line.

No Snake Oil Salesmen Allowed!

*The FTC's
Funeral Rule's
Impact on
Deathcare
Marketing*

by Welton Hong

FAKE NEWS. FALSE ADVERTISING. SLICK SALESPeOPLE.

These terms are used widely and they easily evoke a specific type of image in most people's minds. It's not an image you want associated with your deathcare firm. The American public is, in general, understandably cynical about any goods or services being peddled to them—even when those services are necessary at the time. That is because history tells a long story of some people swindling other people; and the more necessary the good or service, the more valuable the swindle might prove.

Consider the period from the late 1800s to the early 1900s when so-called “miracle cures” for maladies were popular. In 1905, journalist Samuel Hopkins Adams published several articles exposing these cures as mostly just alcohol. However, these concoctions contained other additives that could potentially make people sick or even cause death. Adams's work, and resulting responses to it, helped lead to the creation of the Food and Drug Act of 1906 (FDA act).

What do toxic curatives and the original FDA act have to do with deathcare marketing? Plenty, as this was the first in a long line of government actions designed to better regulate numerous industries and foster truth in advertising.

The Federal Trade Commission (FTC) was created in 1914 and given authority to regulate competition in marketplaces to keep things fair. Within two years, the FTC started to enforce rules about truth in advertising, taking action against businesses that presented misleading information in their ads or product names.

Since the early 20th century, the FTC has grown, covering more ground and more industries. Then in 1984, the Funeral Rule was promulgated.

I'm not going to lay out all the details of the Funeral Rule here—anyone reading this magazine knows it well.

Instead, let's look at how the Funeral Rule is an ally—and not an obstacle—when it comes to funeral home marketing. I also have some tips for ensuring your online marketing efforts are effective without running afoul of these expectations.

Consumer Marketing Needs

With our modern sensibilities, it is easy to look back to the early 1900s and see why people would fall for snake oil scams. Many people were disconnected from information sources and knowledge, and a well-dressed expert calling himself “doctor” might have provided

answers people craved—even if those answers were false. Often the defense in these situations was to trust no stranger—to question all new information.

Today, almost everyone has an instant connection to infinite knowledge via the internet. But it's harder than ever to tell what answers are true and which are false. Distrust and questioning are *still* the defense many people turn to.

According to the 2019 Edelman Brand Trust survey, only about one-third of people say they trust the businesses they buy from. But there's also good news. Once someone does start to trust your business, they are highly unlikely to move to a competitor.

Two-thirds of people said they would stick with the business they knew rather than move to a competitor that had more innovative products.

That's because even in an atmosphere of distrust—where people are more likely to believe personal recommendations and online reviews than anything you say about your own funeral home—consumers also crave authenticity.

Three-quarters say that trust is more valuable than trendiness. And 90 percent of consumers say authenticity is a top factor when they choose goods or services from any business.

The Funeral Rule might have a lot of nitpicks and details to follow, but at its heart, it's about creating an honest market for burial and cremation consumers.

Whether someone is pre-planning or making an at-need purchase, final arrangements can be concerning and stressful to handle. Authenticity, trust, and honesty go a long way in protecting the consumer and in helping your deathcare firm connect with and convert potential clientele.

People need deathcare services eventually, and you don't have to wrap it up in deceptively cute bows to convince them of that.



People want to work with people. To be authentic, you have to reach out and connect with others.

SHUTTERSTOCK / DANE_MARK

Tips for Online Marketing

How do you create authenticity, stay in line with the Funeral Rule, and persuade potential clientele that you are the right choice for them? You can start by following some of these tips as you plan your funeral home content marketing efforts:

1. Be transparent but user-friendly.

A lot of the Funeral Rule deals with ensuring potential deathcare clientele know exactly what they are purchasing and why. For example, if you bundle services, people should know what they're paying for so they can understand whether à la carte options might be better for them. Ultimately, it's about providing the education people need to make the right decisions during their time of need or pre-planning.

Take the same approach with your website content. It's not a hard sell: People need deathcare services eventually, and you don't have to wrap it up in deceptively cute bows to convince them of that. Instead, create honest, helpful content that helps people make decisions for themselves. This helps ensure they remember your firm when they're ready to make a purchase.

But make sure you understand where the line is for your audience. Yes, you must disclose pricing and legal requirements honestly and fully—that's just good business practice, even if it wasn't required by the FTC. But some audiences might want more than that, so test various blog posts and articles providing deathcare education to find what works for your consumer base.

2. Cite the FTC Funeral Rule appropriately.

Make the Funeral Rule your ally by citing it on your pages. Let people know that you are not just following this rule because you are required to do so. Explain that you believe in these protections for consumers and how your funeral home works to uphold them.

This serves two purposes. First, it informs potential clientele that you're aware of your legal obligations. The fact that your business is regulated and you're willing to point this out to them can alleviate worries. Second, it shows that you have a vested interest in the well-being of your clientele and that you're taking all measures to protect that.

3. Display your GPL online (even if that's not required in your state).

The Funeral Rule requires you to provide a General Price List (GPL) before someone makes a final decision to purchase deathcare services from you. Putting your GPL online can help streamline this process—although it is not a replacement for providing the information in other formats to potential clientele you are working with!

Displaying an up-to-date price list online can help with marketing authenticity. Some businesses prefer not to list prices online because they're worried that, out of context, it might send consumers to find a better deal with the competition.

But the truth is that only about 40 percent of people say pricing is one of the most important factors they consider in making a purchasing decision. Other factors that can outpace pricing include quality of goods or

services, online reviews, and—you guessed it—authenticity.

4. Stay true to your brand voice and value proposition.

Remember that authenticity is as much about the way you communicate with potential clientele as it is about what you say. Make sure that you are maintaining your brand voice and value proposition—those things that set you apart from the competition—while creating content that aligns with the Funeral Rule and transparency best practices.

For example, if your value proposition is that your services are budget-friendly, you do not have to hide that truth. You cannot lie or even mislead people to believe that all your caskets are the absolute cheapest around, because that might not be true.

But you can create content that provides tips for memorials on a budget, offers honest opinions about budget caskets, and educates people on how to avoid unnecessary funeral expenses.

5. Don't make all of your marketing about 'you.'

This one actually has nothing to do with the Funeral Rule and everything to do with the basics of online marketing in today's world.

People want to work with people. To be authentic, you have to reach out and connect with others. Use your website and social media platforms to engage with your community, town, and industry in brand-appropriate ways that help potential clientele see you as a deathcare firm backed by honest, caring individuals.

Some examples of this type of marketing can include sharing or commenting on important local stories, getting involved with charity or local events, and encouraging people to share their own testimonies about your services.

I know that regulations can sometimes feel stifling or difficult to follow. But when rules are meant to create safety and fairness for clientele, you can embrace them fully and integrate them into your funeral home marketing strategies. When you can do so authentically, you're likely to engage consumers and drive more conversions. ■

Welton Hong is the founder of Ring Ring Marketing and the author of *Making Your Phone Ring with Internet Marketing for Funeral Homes*, 2019 Edition.

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