

6-403. WRITTEN STATEMENTS REQUIRED.

(A) STATEMENT OF INITIAL AGREEMENT.

AT THE TIME A LICENSEE MAKES FUNERAL ARRANGEMENTS, THE LICENSEE SHALL GIVE TO THE INDIVIDUAL WHO REQUESTED THE FUNERAL ARRANGEMENTS A WRITTEN STATEMENT THAT INCLUDES:

(1) AN ITEMIZED LIST OF ALL SERVICES AND MERCHANDISE THAT WILL BE PROVIDED AND THE TOTAL PRICE;

(2) TO THE EXTENT POSSIBLE, A SPECIFICATION OF ANY ITEM FOR WHICH THE LICENSEE WILL ADVANCE MONEY TO ACCOMMODATE THE BUYER; AND

(3) THE TERMS AND METHOD OF PAYMENT.

(B) ADDITIONAL STATEMENTS.

IN ADDITION TO THE STATEMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE LICENSEE SHALL GIVE TO THE INDIVIDUAL WHO REQUESTED A FUNERAL A SIMILAR WRITTEN STATEMENT THAT REFLECTS ANY CHANGE IN THE ARRANGEMENTS AGREED TO BETWEEN THE PARTIES.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 354(c)(15).

This section provides expressly what presently is only implied in the law -- that a licensee must provide a written statement at the time funeral arrangements are made.

The reference in present Art. 43, § 354(c)(15) to disciplinary action now appears in § 6-315 of this title.

6-404. PRE-NEED CONTRACTS.

(A) "SELLER" DEFINED.

IN THIS SECTION, "SELLER" MEANS A PERSON WHO AGREES TO PROVIDE SERVICES OR MERCHANDISE, DIRECTLY OR INDIRECTLY, UNDER A PRE-NEED CONTRACT.

(B) PERSON AUTHORIZED TO EXECUTE.

ONLY A LICENSED MORTICIAN MAY OFFER OR AGREE, DIRECTLY OR INDIRECTLY, TO PROVIDE SERVICES OR MERCHANDISE UNDER A PRE-NEED CONTRACT.

(C) FORM.

(1) A PRE-NEED CONTRACT SHALL CONTAIN: