



DEATH WITHOUT DEBT

Submission to the Health and Disability Commission's Review July 2024

Current, standard, after-death practice by medical professionals violates nine out of ten of the Health and Disability Commission's list of patient rights.

This serious, largely unintended, neglect is repeated approximately 40 000 times a year - everytime a New Zealander dies. The consequences of this sub-standard care include high levels of funeral debt and related economic hardship, disempowerment of the general public around funeral processes and high incidences of psychological difficulties resulting variously from cut price funeral processes, bill shock and stress.

The larger part of the problem can be solved simply by explicitly including after-death family/executor care in the Health and Disability Code to ensure all medical professionals see through pre-cremation paperwork requirements to completion and provide basic advice and reassurance about the funeral process and people's options.

Background to this submission.

The MoH is currently undertaking a review of Death, Cremation and Burial. As we have been saying to the H and D Commission, this is officially the time for you to be looking at this issue.

At various times the H and D Commission has said after-death care is their responsibility, isn't their responsibility, might be, etc. The Commission now state they don't have time to look at the issue. Meantime your reps continue to rule the issue "out of bounds" - i.e. not their responsibility.

A cremation requires the sign off of two doctors. If doctors are involved and signing off medical forms, this means it is a medical issue and, obviously, the H and D Commission need to be interested.

The public have no idea how the medical referee system works, and even if they did, it would still be impossible for most people to negotiate. Pre-cremation sign off is, to repeat, a medical responsibility.

Thanks to largely unintended medical negligence, about half of the forty thousand households faced with funeral bills will be landed with a bill they can't readily pay. This is another reason this issue has to be a priority. Hundreds of families being delivered into poverty each and every week. WINZ funeral grants are not an adequate solution.

We have had doctors trial proper duty of care. All doctors were pleased to do it for the simple reason that they want to provide care. The process of doing pre-cremation paperwork and giving general advice and reassurance about the funeral process takes just minutes.

Death Without Debt has repeatedly attempted meaningful engagement on this issue with the Health and Disability Commission. Our last attempt was to provide a submission on the scope of your current review. No acknowledgement was received.

Upon pressing, the Commission wrote back to us that they had decided not to include this issue in this review.

This disregard for the issue is consistent with a general attitude across the public service and also the Human Right's Commission who, one can only assume, hold the view that death is not to be discussed and best left to the private business sector to manage without oversight.

It is not ethical to refer families, as virtually all doctors and nurses unwittingly do, to the funeral industry to get these official paperwork requirements done. With something as universal as death, if the government imposes paperwork requirements, it is up to the government, and all associated bodies, to facilitate a system where the public are not ripped off, extorted, or bullied in the process of meeting those requirements.


Numerous submissions to the MoH consultation process on this issue cite examples of widespread predation on families by the funeral industry. A range of esteemed NGO's delivered submissions with such evidence. While there are shocking incidences of predation, it must also be realised that the industry's business model has developed into a system for extracting as much money out of bereaved families as possible. They wouldn't be able to do this if official paperwork requirements didn't gift them a captive market.

Action on the Commission's part will have an immediate and long term benefits for families. In the immediate term, funeral directors "professional service fees" for paperwork will be removed. Fewer families will be absolutely dependent on the funeral industry to dispose of their dead and, as a result, trapped in the funeral industry's business model.

In the longer term, the competition provided to the industry by freeing up families to make their own funeral arrangements will drive the prices down for everyone. This will allieve the problem of funeral debt, which, clearly, is also a health problem given the stress and disruption it causes.

We look forward to providing more detailed background and information upon your engagement.

Death Without Debt


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