



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
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Operations Memo 2012-35
July 23, 2012

To: Department of Transitional Assistance Staff

From:  Stephanie Brown, Assistant Commissioner for Policy, Program and External Relations

Re: TAFDC, EAEDC and SSP – Funeral and Final Disposition Payment Changes

Overview

The FY '13 State budget authorized changes to the Department's administration of funeral and final disposition payments. Effective July 1, 2012, the maximum allowable expense for a funeral and final disposition is \$3500. Effective July 1, all requests for funeral and final disposition payment shall be processed using this new requirement.

Purpose of Memo

This Operations Memo advises staff how to process funeral and final disposition expenses under this change.

Reminders: A client known to FMCS (even if closed) does not need to be established on BEACON to pay the funeral and final disposition expense.

Cremation is an allowable expense for funeral and final disposition payments. No signature from the next of kin verifying cremation as a preference is required.

State Letter

A State Letter will be issued in the near future regarding changes to the funeral and final disposition expenses.

Obsolete Memos

This Operations Memo obsoletes Operations Memo 2010-54 and Operations Memo 2011-7.

Funeral and Final Disposition Overview

The Department of Transitional Assistance (DTA) is the state agency responsible for paying funeral and final disposition expenses for:

- any person who was without sufficient resources or financially responsible relatives to pay for funeral and final disposition expenses; or
 - any person whose identity is unknown and found dead.
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Applications for Active and Pending TAFDC and EAEDC Clients

A separate application for payment of funeral and final disposition expenses does not need to be completed on behalf of an individual who at the time of death was:

- an active TAFDC or EAEDC client; or
- a TAFDC or EAEDC applicant open in a pending status.

The request for payment of funeral and final disposition expenses should be processed by the TAO that has the active or pending case.

Applications for SSI (including SSP) and Non-Clients

The form: *Application for Payment of Funeral and Final Disposition* (F&FD-1) (Attachment A) must be used to collect the necessary information to determine eligibility for payment of funeral and final disposition expenses for deceased individuals who were not TAFDC or EAEDC clients or in a pending status for one of these programs at the time of death, i.e. SSI (including SSP) and non-clients. The preference for cremation should be noted on the F&FD-1.

The F&FD-1 may be submitted to **any** TAO. It may be submitted:

- on behalf of any deceased person who was **not** an active or pending TAFDC or EAEDC client at the time of death;
 - by a relative, friend, medical examiner or other person who is able to complete the application process and provide any necessary verifications; or
 - by a funeral director, if no relative, friend or medical examiner is able to complete it.
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Verification of Funeral and Final Disposition Expenses

In all instances of requests for payment of funeral and final disposition expenses, the funeral director must:

- submit an itemized bill (signed) detailing the total expenses of the funeral and final disposition; and
Note: The total cost of the final disposition expenses **cannot** exceed \$3500.
- report any money paid or to be paid by sources other than the Department.
Note: This can be noted on the F&FD-1 if the Funeral Director is filling out the form.

The Department will pay the balance of the funeral and final disposition cost up to \$1100.

Assets

Assets include, but are not limited to, savings and other bank accounts, life insurance, RSDI, Veterans' Administration death benefits, and personal needs accounts of nursing home or other long-term-care decedents. In all instances, death benefits and other resources must be explored before funeral and final disposition expenses are authorized.

Important: Death benefits for funeral and final disposition will not be paid by the Veterans' Administration once the Department authorizes the payment of the funeral and final disposition expense; therefore, *it is important that this benefit be explored before approving the payment.*

Any assets available from the decedent or a financially responsible relative must be deducted from the maximum payment (\$1,100). The Department then pays the balance, if any, up to \$1,100.

Example #1: Mr. Richards was a resident in a long-term-care facility. His only asset at the time of his death was a personal needs account of \$600. There is no financially responsible relative. Deduct \$600 from the maximum allowable funeral and final disposition payment of \$1,100 and authorize a funeral and a payment of \$500.

Example #2: A TAFDC case consisted of Mr. and Mrs. Green and two children. When Mr. Green died, Mrs. Green had a bank account with \$1,150. Mrs. Green is a financially responsible relative. Since her assets exceed the \$1,100 maximum funeral and final disposition payment, Mr. Green is not eligible to have any of his funeral and final disposition expenses paid by the Department. The request for payment of funeral and final disposition expenses must be denied.

SSI Clients and SSPS

Once the F&FD-1 form is completed for an SSI (including SSP) decedent, and that person is determined eligible, SSI decedents do not need to be entered onto BEACON. SSPS was modified to validate the entry of SSPS benefits for SSI clients against SSI information available as part of the SDX update process.

Establishing a Non-Client Decedent on BEACON

Once the F&FD-1 form is completed and that person is determined eligible, he or she must be established as a pending case on BEACON (unless the decedent was in receipt of SSI (including SSP)) before the funeral and final disposition payment may be authorized.

Note: Information is transferred between BEACON and FMCS during the evening of the date the information is data-entered onto BEACON. No payments should be submitted until the day following the date the information is established on BEACON.

A decedent, who was not an active or a pending TAFDC, EAEDC or SSP client at the time of death *nor on FMCS as a former client who has since closed*, but who is approved for payment of funeral and final disposition expenses, must be processed as a pending EAEDC case.

Enter the non-client decedent's data on BEACON by completing:

- the Request for Assistance (RFA);

Note: Although the F&FD-1 can be mailed to the office for processing, it is data entered on BEACON as an EAEDC application. Case managers must enter the decedent as a walk-in applicant. The signature on the F&FD-1 is acceptable as a signature on the RA-1.

- the Household Composition; and
- the AU Composition sections.

The case manager must manually calculate whether the decedent is financially eligible for the funeral and final disposition payment and note this calculation on the Narrative tab. Copies of any paperwork showing the calculation and the amount of benefits, must be filed in the case record.

Payment of Funeral and Final Disposition Expenses

The funeral and final disposition payments must be authorized through the SSPS. Procedures to fill out the SSPS document can be found in Volume 3 of the SSPS User's Guide, Chapter III: SSPS Invoice for Special Services.

Approving or Denying Funeral and Final Disposition Expenses

Complete and send an NFL-9, approving or denying payment for funeral and final disposition expenses, to the person who made the request on behalf of the decedent (this may also include the Funeral Director).

Closing the Decedent and or the Case

After the payment for the funeral and final disposition expenses has been made for a TAFDC or EAEDC decedent (including non-clients opened as a pending EAEDC case), close either the deceased client or the case on BEACON, as appropriate.

If the decedent was an active TAFDC **dependent**, and there are other active TAFDC household members who remain eligible, **close only the TAFDC dependent** by accessing the AU Composition Results page and choosing Program Rules and Death from the dropdown boxes.

If the decedent was an active TAFDC **grantee** or EAEDC client, or had a pending TAFDC or EAEDC application, the **case** must be closed or denied.

The estate of a decedent/client will receive a BEACON notice explaining the status of benefits. This letter includes the telephone number of a case manager to contact for assistance. If children in a single parent case are to remain on TAFDC and/or SNAP, the adult caring for them must complete a new application.

If the decedent was opened as a pending EAEDC case for the express purpose of paying funeral and final disposition expenses, the case must be denied by accessing the AU Composition Results page and choosing Admin-TAO and Administrative Closure from the dropdown boxes. Using this closing reason will prevent a system-generated letter from being sent. An entry must be made on the Narrative tab explaining the denial.

Note: DTA staff does not need to wait for the SSPS Invoice to be paid to close the case. As long as the case is known to FMCS (one day after the case is established on BEACON), the case can be closed on BEACON.

**Funeral and
Final Disposition
Reminders**

- The person completing the application must be the next of kin or legally liable person.
- Funeral Directors may fill out this form only if there is no next of kin or legally liable person.
- Final disposition expenses **cannot** exceed \$3500.
- All assets of the decedent and any legally liable person of the decedent will be counted (countable assets are defined as those listed in the EAEDC program 106 CMR 321.100 through 321.140).
- The application will be denied if there are assets in excess of \$1100.
- Any assets up to \$1100 will be deducted from the funeral and final disposition payment.
- The request for funeral and final disposition benefits must be made no later than six months from the date of death.
- The Department has preferred claims against the decedent's estate and any existing resources the decedent may have possessed.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.

Attachment A

Massachusetts Department of Transitional Assistance
Application for Payment of Funeral and Final Disposition

IMPORTANT! Please read before completing!

The person completing this application must be the next of kin of the deceased person (also called the "decedent.") Funeral Directors can complete this form only if there is no next of kin or legally liable person. The Department has preferred claims against the decedent's estate and any existing resources the decedent may have possessed, if the decedent is found eligible for this benefit. Funeral and Final Disposition expenses cannot exceed \$3500. The Department will pay \$1100, less any assets available from the decedent or a financially responsible relative.

Application Date _____

Decedent's Name _____ SSN _____
First Middle Last

Address _____
Street City ZIP

Date of Birth _____ Date of Death _____ Sex Male Female

Marital Status Single Married (Maiden Name) _____
 Separated Divorced Widowed

Was the decedent receiving DTA benefits (TAFDC, EAEDC, SNAP or SSI (including State Supplement Program payments) at the time of death? Yes No

Name and address of person completing application on behalf of the decedent

Name _____
First Middle Last Relationship

Address _____
Street City ZIP Telephone

Assets of deceased or legally liable person.

List and describe all personal property, such as cash, bank accounts, personal needs accounts, government bonds, stocks, automobiles, trailers, boats, credit union shares, trusts, life insurance policies and real estate owned in whole or in part by the decedent. Verification must be submitted with application. Attach a separate page to list additional personal property.

| Type of Property | Owner | Value |
|------------------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Is there any pre-paid burial agreement? yes no If yes, amount \$ _____
Is there a Veteran's death benefit? yes no If yes, amount \$ _____
Is there a Social Security death benefit? yes no If yes, amount \$ _____
Is there any other death benefit? yes no If yes, amount \$ _____
If death benefit, what type of benefit _____

I understand that this application is subject to review, and that I have enclosed a list of all funeral and final disposition services provided, receipts and other verifications of all expenses.

I understand that the Department of Transitional Assistance will investigate all facts relating to eligibility for payment of funeral and burial expenses. To the extent that I am legally authorized to do so, I further consent to assign to the Department of Transitional Assistance any benefits from insurance or third party, as required by state law, if death was a result of an accident. The Department has preferred claims against the decedent's estate and any existing resources the decedent may have possessed.

I certify, under penalty of perjury, that the information I have given is correct, true, and complete to the best of my knowledge.

Printed Name / Date

Signature