



# Senate

General Assembly

**File No. 53**

February Session, 2016

Substitute Senate Bill No. 105

*Senate, March 15, 2016*

The Committee on Human Services reported through SEN. MOORE, M. of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE PAYMENT OF FUNERAL AND BURIAL EXPENSES BY THE DEPARTMENT OF SOCIAL SERVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-84 of the 2016 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2016*):

4 (a) Upon the death of any beneficiary under the state supplement or  
5 the temporary family assistance program, the Commissioner of Social  
6 Services shall order the payment of a sum not to exceed one thousand  
7 four hundred dollars as an allowance toward the funeral and burial  
8 expenses of such [deceased] decedent. The payment for funeral and  
9 burial expenses shall be reduced by (1) the amount in any revocable or  
10 irrevocable funeral fund, (2) any prepaid funeral contract, [or] (3) the  
11 face value of any life insurance policy owned by the [recipient.  
12 Contributions may be made by any person for the cost of the funeral  
13 and burial expenses of the deceased over and above the sum  
14 established under this section without thereby diminishing the state's

15 obligation.] decendent, (4) the net value of all liquid assets in the  
16 decendent's estate, and (5) contributions in excess of three thousand two  
17 hundred dollars toward such funeral and burial expenses from all  
18 other sources, including friends, relatives and all other persons,  
19 organizations, agencies, veterans' programs and other benefit  
20 programs.

21 (b) The Commissioner of Social Services may adopt regulations, in  
22 accordance with chapter 54, to implement the provisions of this  
23 section.

24 Sec. 2. Section 17b-131 of the 2016 supplement to the general statutes  
25 is repealed and the following is substituted in lieu thereof (*Effective July*  
26 *1, 2016*):

27 (a) When a person in any town, or sent from such town to any  
28 licensed institution or state humane institution, dies or is found dead  
29 therein and does not leave sufficient estate [or] and has no legally  
30 liable relative able to pay the cost of a proper funeral and burial, or  
31 upon the death of any beneficiary under the state-administered general  
32 assistance program, the Commissioner of Social Services shall give to  
33 such person a proper funeral and burial, and shall pay a sum not  
34 exceeding one thousand four hundred dollars as an allowance toward  
35 the funeral expenses of such [deceased, said] decendent. Said sum [to]  
36 shall be paid, upon submission of a proper bill, to the funeral director,  
37 cemetery or crematory, as the case may be. Such payment for funeral  
38 and burial expenses shall be reduced by (1) the amount in any  
39 revocable or irrevocable funeral fund, (2) any prepaid funeral contract,  
40 (3) the face value of any life insurance policy owned by the decendent,  
41 [and] (4) the net value of all liquid assets in the decendent's estate, and  
42 (5) contributions in excess of three thousand two hundred dollars  
43 toward such funeral and burial expenses from all other sources  
44 including friends, relatives and all other persons, organizations,  
45 [veterans' and other benefit programs and other agencies] agencies,  
46 veterans' programs and other benefit programs.

47 (b) The Commissioner of Social Services may adopt regulations, in

48 accordance with chapter 54, to implement the provisions of this  
49 section.

50 Sec. 3. Section 17b-198 of the general statutes is repealed and the  
51 following is substituted in lieu thereof (*Effective July 1, 2016*):

52 The Commissioner of Social Services shall adopt regulations, in  
53 accordance with the provisions of chapter 54, to implement policies  
54 and procedures necessary to carry out the purposes of sections [17b-  
55 131,] 17b-191 to 17b-194, inclusive, and 17b-197. The Commissioner of  
56 Social Services shall implement such policies and procedures while in  
57 the process of adopting such policies and procedures as regulations, or  
58 amending existing regulations provided notice of intent to adopt or  
59 amend the regulations is published [in the Connecticut Law Journal]  
60 on the eRegulations System within twenty days of implementation,  
61 and such policies and procedures shall be valid until the time final  
62 regulations are effective. The commissioner shall also amend any  
63 regulations in existence on August 20, 2003, to conform to the  
64 provisions of this section and sections [17b-131,] 17b-191 to 17b-194,  
65 inclusive, and 17b-197.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	17b-84
Sec. 2	<i>July 1, 2016</i>	17b-131
Sec. 3	<i>July 1, 2016</i>	17b-198

**HS**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Social Services, Dept.	GF - Savings	Potential	Potential

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The Department of Social Services (DSS) could experience a savings associated with limiting the maximum burial benefit for certain individuals. In FY 15, DSS spent \$4.7 million on burial payments for approximately 2,600 cases. For purposes of an example, if the limitations under the bill applied to 10% of the annual caseload, it would result in savings of approximately \$364,000 annually.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Department of Social Services Cost and Caseload Information

**OLR Bill Analysis****sSB 105*****AN ACT CONCERNING THE PAYMENT OF FUNERAL AND BURIAL EXPENSES BY THE DEPARTMENT OF SOCIAL SERVICES.*****SUMMARY:**

This bill adds certain funding sources to the types of funds the Department of Social Services (DSS) must deduct from its maximum burial allowance when calculating its payment toward funeral and burial expenses of indigent individuals and those who receive benefits from Temporary Family Assistance (TFA), State Supplement Program (SSP), and State Administered General Assistance (SAGA).

It allows DSS to adopt regulations on funeral and burial allowances for SSP and TFA recipients and allows, rather than requires, DSS to do so for indigent individuals and SAGA recipients. The bill also allows DSS to publish certain regulations on the eRegulations System rather than in the Connecticut Law Journal, conforming to department practice.

EFFECTIVE DATE: July 1, 2016

**BENEFIT CALCULATION**

By law, for SSP, TFA, and SAGA recipients, as well as otherwise indigent individuals, DSS must deduct from the current maximum benefit (\$1,400) (1) the amount in any revocable or irrevocable funeral fund, (2) any prepaid funeral contract, and (3) the face value of any life insurance policy owned by the recipient. The bill requires DSS to also deduct the net value of all liquid assets in the recipient's estate.

Under current law, for TFA and SSP recipients, contributions by others toward funeral and burial costs do not reduce DSS' payment.

The bill instead requires DSS to deduct any contributions over \$3,200 from the maximum benefit and specifies that such contributions include those from all sources, including friends, relatives, all other persons, organizations, agencies, veterans' programs, and other benefit programs (The law already requires this deduction for SAGA recipients and indigent individuals.)

Under current law, DSS must pay a burial benefit for indigent individuals who either (1) lack sufficient funds to pay for a proper funeral or burial or (2) have no legally liable relative able to pay the cost. The bill instead requires DSS to pay burial benefits for those who lack both funds and legally liable relatives able to pay.

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 17    Nay 0    (03/03/2016)