

HOUSE No. 128

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to deceased poor and indigent persons..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 117A of the General Laws is hereby amended by striking out
2 section 9 and inserting in place thereof the following section:-

3 Section 9. The department shall provide for the decent final disposition of all deceased
4 persons who are at the time of death recipients of aid or assistance under this chapter, all
5 deceased persons who, although without means of support at the time of death, did not apply for
6 such aid or assistance; and all unknown persons found dead. The expense thereof may be
7 recovered of their kindred, if any, chargeable by law for their support in the manner provided in
8 this chapter; and if the expense of their funeral and final disposition is not paid by such kindred,
9 an amount not exceeding \$1,100 shall be paid by the commonwealth to the funeral
10 establishment; provided further, that the commonwealth shall have the right of reimbursement
11 from whatever resources may exist in the estate of said person.

12 SECTION 2. Said chapter 117A is hereby further amended by striking out section 10
13 and inserting in place thereof the following section:-

14 Section 10. In case of the decease of a poor and indigent person the commonwealth
15 shall pay toward the expense of the funeral and final disposition of such person a sum not
16 exceeding eleven hundred dollars to the funeral establishment; provided, however, that the
17 commonwealth shall have the right of reimbursement from whatever resources may exist in the
18 estate of said person.

19 SECTION 3. Section 2 of chapter 118 of the General Laws, as appearing in the 2004
20 Official Edition, is hereby amended by striking out the third paragraph and inserting place
21 thereof the following paragraph:-

22 “The department may pay a sum not exceeding \$1,100 toward the funeral and final
23 disposition of a recipient to the funeral establishment provided that there are insufficient
24 resources to pay for the cost of such funeral and final disposition. The commonwealth shall have
25 the right of reimbursement from whatever resources may exist in the estate of the recipient.”

26 SECTION 4. Chapter 118A of the General Laws is hereby amended by striking out
27 section 7 and inserting in place thereof the following section:-

28 Section 7. The department shall provide to aged and disabled residents of the
29 commonwealth under this chapter a program of social services as enumerated under section 2 of
30 chapter 18. In addition to the other benefits authorized by this chapter, the department may
31 provide to such recipients grants of assistance in cases of fire, flood, or other disaster. The
32 department may pay a sum not exceeding \$1,100 toward the funeral and final disposition of a
33 recipient to a funeral establishment provided that there are insufficient resources to pay for the
34 cost of such funeral and interment. The commonwealth shall have the right of reimbursement
35 from whatever resources may exist in the estate of the recipient.

36 SECTION 5. Section 23 of chapter 119 of the General Laws, as appearing in the 2004
37 Official Edition is hereby amended by striking out the fifteenth paragraph and inserting in place
38 thereof the following paragraph:-

39 “H. The department may pay a sum not exceeding \$1,100 the funeral and final
40 disposition of a child in its care to a funeral establishment provided that there are insufficient
41 resources to pay for the cost of such funeral and final disposition. The commonwealth shall have
42 the right of reimbursement from whatever resources may exist in the estate of the child.”