

SENATE No. 49

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

12 SECTION 2. Said chapter 117A is hereby further amended by striking out section 10 and
13 inserting in place thereof the following section:— Section 10. In case of the decease of a poor
14 and indigent person the commonwealth shall pay toward the expense of the funeral and final

15 disposition of such person a sum not exceeding eleven hundred dollars to the funeral
16 establishment; provided, however, that the commonwealth shall have the right of reimbursement
17 from whatever resources may exist in the estate of said person.

18 SECTION 3. Section 2 of chapter 118 of the General Laws, as appearing in the 2004
19 Official Edition, is hereby amended by striking out the third paragraph and inserting place
20 thereof the following paragraph:— “The department may pay a sum not exceeding \$1,100
21 toward the funeral and final disposition of a recipient to the funeral establishment provided that
22 there are insufficient resources to pay for the cost of such funeral and final disposition. The
23 commonwealth shall have the right of reimbursement from whatever resources may exist in the
24 estate of the recipient.”

25 SECTION 4. Chapter 118A of the General Laws is hereby amended by striking out
26 section 7

27 and inserting in place thereof the following section:— Section 7. The department shall
28 provide

29 to aged and disabled residents of the commonwealth under this chapter a program of
30 social

31 services as enumerated under section 2 of chapter 18. In addition to the other
32 benefits

33 authorized by this chapter, the department may provide to such recipients grants of
34 assistance

35 in cases of fire, flood, or other disaster. The department may pay a sum not
36 exceeding \$1,100
37 toward the funeral and final disposition of a recipient to a funeral establishment provided
38 that
39 there are insufficient resources to pay for the cost of such funeral and interment. The
40 commonwealth shall have the right of reimbursement from whatever resources may exist
41 in the
42 estate of the recipient.

43 SECTION 5. Section 23 of chapter 119 of the General Laws, as appearing in the 2004
44 Official Edition is hereby amended by striking out the fifteenth paragraph and inserting in place
45 thereof the following paragraph:—"H. The department may pay a sum not exceeding \$1,100 the
46 funeral and final disposition of a child in its care to a funeral establishment provided that there
47 are insufficient resources to pay for the cost of such funeral and final disposition. The
48 commonwealth shall have the right of reimbursement from whatever resources may exist in the
49 estate of the child."