

SENATE No. 49

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to funeral expenses of indigent persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/1/2019</i>

SENATE No. 49

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 49) of Adam G. Hinds, Patrick M. O'Connor and Donald F. Humason, Jr. for legislation relative to funeral expenses of indigent persons. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to funeral expenses of 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. Section 9 of chapter 117A of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the second sentence and inserting in place
3 thereof the following sentence:- “The commonwealth may recover this expense from any legally
4 liable family members in the manner provided in this chapter, and if such family members do not
5 pay this expense, the commonwealth shall pay an amount not exceeding \$2,000 to the funeral
6 establishment if the total expense of the funeral and final disposition does not exceed \$6,000,
7 excluding cash advance items for services not directly provided by the funeral establishment and
8 not included on the general price list.”

9 SECTION 2. The third paragraph of Section 2 of chapter 118 of the General Laws, as
10 appearing in the 2016 Official Edition, is hereby amended by striking out the first sentence and
11 inserting in place thereof the following sentence:- “The department may pay a sum not exceeding
12 \$2,000 toward the funeral and final disposition of a recipient to the funeral establishment if there

13 are insufficient resources to pay for the cost of such funeral and final disposition and if the total
14 expense of the funeral and final disposition does not exceed \$6,000, excluding cash advance
15 items for services not directly provided by the funeral establishment and not included on the
16 general price list.”

17 SECTION 3. Section 7 of chapter 118A of the General Laws, as appearing in the 2016
18 Official Edition, is hereby amended by striking the third sentence and inserting in place thereof
19 the following sentence:- “The department may pay a sum not exceeding \$2,000 toward the
20 funeral and final disposition of a recipient to a funeral establishment if there are insufficient
21 resources to pay for the cost of such funeral and final disposition and if the total expense of the
22 funeral and final disposition does not exceed \$6,000, excluding cash advance items for services
23 not directly provided by the funeral establishment and not included on the general price list.”

24 SECTION 4. Notwithstanding the provisions of any general or special law to the
25 contrary, the Department of Transitional Assistance shall amend all standards and regulations
26 applicable to the payment of funeral and final disposition expenses to exclude cash advance
27 items for services not directly provided by the funeral establishment and not included on the
28 general price list from the calculation of the total expense of said funeral and final disposition.