
HOUSE BILL 2556

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Grant, Neher, Ogden, Tate, Leonard, Padden, Paris and Brough

Read first time 01/22/92. Referred to Committee on Human Services.

1 AN ACT Relating to public assistance coverage of funeral expenses
2 of a deceased person; and amending RCW 68.50.160 and 74.08.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 68.50.160 and 1943 c 247 s 29 are each amended to read
5 as follows:

6 The right to control the disposition of the remains of a deceased
7 person, unless other directions have been given by the decedent, vests
8 in, and the duty of interment and the liability for the reasonable cost
9 of preparation, care, and interment of such remains devolves upon the
10 following in the order named:

- 11 (1) The surviving spouse.
12 (2) The surviving children of the decedent.
13 (3) The surviving parents of the decedent.

1 The liability for the reasonable cost of preparation, care, and
2 interment devolves jointly and severally upon all kin of the decedent
3 hereinbefore mentioned in the same degree of kindred and upon the
4 estate of the decedent.

5 **Sec. 2.** RCW 74.08.120 and 1987 c 75 s 39 are each amended to read
6 as follows:

7 The term "funeral" shall mean the mortuary services needed for the
8 proper preparation, (~~((transportation within the local service area~~
9 ~~defined by the department,))~~ preservation, and care of the remains of
10 a deceased person with needed facilities and appropriate memorial
11 services. "Transportation" shall mean transport of a body from place
12 of death to mortuary and transportation to place of disposition, within
13 the service area defined by the department. "Burial" includes
14 necessary costs of a lot or cremation and disposition site, and all
15 services related to interment and the (~~((customary))~~) minimal memorial
16 marking of a grave.

17 The department is hereby authorized to assume responsibility for
18 payment for the funeral, transportation, and burial of deceased persons
19 dying without assets sufficient to pay for the minimum standard
20 (~~((funeral))~~) services herein provided: PROVIDED, HOWEVER, That the
21 secretary may furnish funeral assistance for deceased recipients if
22 they leave assets to a surviving spouse and/or to minor children and if
23 the assets are resources permitted to be owned by or available to an
24 eligible applicant or recipient under RCW 74.04.005, and the department
25 shall thereby have a lien against said assets as provided in RCW
26 43.20B.120. If the deceased person is survived by a spouse (~~((or is a~~
27 ~~minor child survived by his))~~), parent or parents, or children, the
28 department may take into consideration the assets of such surviving
29 spouse, parent, (~~((or))~~) parents, or children in determining whether or

1 not the department will assume responsibility for the funeral,
2 transportation, or burial costs.

3 The department shall not pay more than cost for ((a)) minimum
4 standard services rendered by each vendor. Payments to the funeral
5 director and to the cemetery or crematorium will be made by separate
6 vouchers. The standard of such services and the uniform amounts to be
7 paid shall be determined by the department after giving due
8 consideration to such advice and counsel as it shall obtain from the
9 trade associations of the various vendors and related state
10 departments, agencies, and commissions. Payment made for any funeral,
11 transportation, or burial service by relatives, friends, or any other
12 third party above a donation level established by the department for
13 such items as flowers, ministerial services, or music shall be
14 subtracted from the payment made by the department.