

HOUSE BILL REPORT

SB 5265

As Passed House
April 6, 1993

Title: An act relating to funeral expenses of a deceased person.

Brief Description: Modifying funeral expenses of a deceased person.

Sponsors: Senators Snyder, Winsley, A. Smith, Bauer, Hochstatter, Gaspard, L. Smith, Loveland, Vognild, Skratek and Pelz.

Brief History:

Reported by House Committee on:
Appropriations, March 18, 1993, DP;
Passed House, April 6, 1993, 98-0.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 24 members: Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dorn; Dunshee; Jacobsen; Lemmon; Leonard; Linville; Morton; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; Wineberry; and Wolfe.

Staff: Wayne Kawakami (786-7384).

Background: The right and responsibility for the disposition of the remains of a deceased person belong to the decedent's family, unless the decedent has left other instructions. The liability for burial devolves upon the family of the decedent in the following order: surviving spouse, surviving children, and surviving parents. A decedent's family is liable only for interment-burial or cremation-and is not liable for preparation and care of the remains, and other related services.

The Department of Social and Health Services Funeral Assistance Program provides assistance for the preparation, care and disposition of the remains of a decedent whose assets do not include sufficient resources to pay for a minimum standard funeral and interment. The current maximum assistance available is \$1,127 which includes \$691 for

preparation and funeral services, and \$436 for burial and purchase of a plot. Prior to 1992, in determining the state's liability, the Department of Social and Health Services had authority to consider the assets of a surviving spouse, but not the assets of surviving children, or of parents unless the decedent was a minor child. The 1992 legislative session saw the passage of Chapter 108, Laws of 1992 (ESHB 2876) which gave the department authorization to consider the assets of surviving parents or children of adult decedents when determining the family's eligibility for the Funeral Assistance Program. While this legislation gave the department authority to consider assets of parents or children, it did not require the department to do so.

Summary of Bill: The Department of Social and Health Services is required to consider the assets of parents or children when determining whether or not the state will assume responsibility for costs associated with the funeral and interment of a deceased adult.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.