

SENATE BILL REPORT

SB 5265

AS PASSED SENATE, MARCH 9, 1993

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

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Anderson, Bauer, Bluechel, Cantu, Gaspard, Hochstatter, McDonald, Moyer, Owen, Pelz, Quigley, Roach, Sutherland, West, and Wojahn.

Staff: Mary Poole (786-7715)

Hearing Dates: February 25, 1993; March 1, 1993

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 state may assume responsibility 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 or parent, 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 (SHB 2876a) which gave the department authorization to consider the assets of surviving parents or children when determining the state's liability for funeral and interment costs. While this legislation gave the department authority to consider assets of parents or children, it did not require the department to do so.

SUMMARY:

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 person.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Taxpayers pay for 10.8 percent of all funerals held in the state each year. Families that have sufficient resources to pay for these funerals should do so. If the assets of parents and children of decedents were considered when determining eligibility for state funeral assistance, 50-60 percent of current applicants would be found ineligible or would not apply.

TESTIMONY AGAINST: None

TESTIFIED: Dave Daly, Washington State Funeral Directors' Association (pro); James Noel, Washington Interment Association (pro); Laurie Evans, Department of Social and Health Services (pro)