

## From the Hotline

If you have any questions on this column or other policy and procedural material, please have your Hotline designee call the **Policy Hotline at 617-348-8478**.

- Q. 1** We received an *Application for Payment of Funeral and Final Disposition* from the sibling of a deceased eighty-year-old. The application indicates that the decedent had a \$3,000 life insurance policy. The sibling who is now applying for the funeral benefit was named the beneficiary of this life insurance policy. Does this mean that the \$3,000 cash surrender value of this policy is a countable asset because it had been owned by the decedent?
- A. 1.** No. Although this life insurance policy was at one time owned by the decedent, the cash surrender value passed onto the beneficiary, upon the decedent's death. In this case, the beneficiary (the decedent's sibling) of the life insurance policy is a nonfinancially responsible relative. Therefore, the asset remains noncountable. If this decedent has no other available assets and the decedent's circumstances meet all of the other requirements at 106 CMR 705.700 and 106 CMR 705.710, then the full \$1,100 payment may be approved.
- Q. 2.** Which relatives are considered financially responsible when reviewing the application of a funeral or final disposition benefit?
- A. 2.** For the funeral and final disposition benefit, financially responsible relatives include any current spouse of the decedent as well as any parents of a deceased minor child.
- Q. 3.** I received an *Application for Payment of Funeral and Final Disposition* today. It was completed by one of our local funeral directors. The decedent is an EAEDC client in our TAO who was living with his spouse, prior to his death. The funeral director indicated in his application that the decedent is currently married. Is it appropriate to process this funeral director's application?
- A. 3.** No. In this situation, contact the funeral director and explain to him that the person completing the *Application for Payment of Funeral and Final Disposition* must be a spouse or next of kin, unless none is available. (This information is printed on the application.) Since the funeral director has already indicated in his application that the decedent was married, you can explain to him that he may contact the spouse and request that she complete the application.
- Q. 4.** A mother completed an *Application for Payment of Funeral and Final Disposition* because her son was recently murdered. Since there are special benefits for some victims of violent crimes, should I first refer her to these, before approving her application?

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**A. 4.** Yes. Your client suffered a serious loss and this experience is very traumatic for her and her family. You should explain to her that as the survivor of a violent crime victim, she has certain rights and may be eligible for certain services. This could include up to \$6,500 for funeral benefits, to the extent insurance or other funds do not cover her crime-related expenses. If it turns out that your client is unable to access these funds, or is only receiving a victim compensation benefit that is smaller than the funeral and final disposition benefit DTA provides, then remember to accurately process and complete her *Application for Payment of Funeral and Final Disposition*. If the victim compensation benefit is smaller than what DTA provides, then the amount of the victim compensation benefit is treated as a countable asset.

Further information about victim rights and services is available below:

<http://www.mass.gov/ago/docs/victim/victim-comp-app-updated.pdf>

**Statewide Victim Assistance Programs**

Massachusetts Office for Victim Assistance

(617) 727-5200 • [www.mass.gov/mova](http://www.mass.gov/mova)

**NOTE:** Funds received as a result of the Compensation to Victims of Violent Crimes Act are noncountable in the TAFDC Program, according to 106 CMR 204.250(FF), noncountable in the EAEDC Program according to 106 CMR 321.250(EE) and excluded in SNAP, according to 106 CMR 363.230(K).

**Q. 5.** The *Application for Payment of Funeral and Final Disposition* I received was completed by a funeral director. It indicates that his client's funeral and burial cost was \$4,000. Since this exceeds the \$3,500 limit, what language should I include in the NFL-9, *Notice of Approval, Denial or Termination for Emergency Assistance Or Other Financial Services*?

**A. 5.** A State Letter will be issued in the near future regarding changes to the funeral and final disposition expenses. In the meantime, if you receive a request for payment that exceeds the new \$3,500 limit, include the language below in the denial letter.

Mass General Laws, Section 9 of 117A (EAEDC), 118 (TAFDC), 118A (SSI) along with this sentence: The total expense of the funeral and final disposition cannot exceed \$3,500.

**Q. 6.** When processing a funeral or final disposition application for a decedent who is not an active or pending TAFDC, EAEDC or SSP client at the time of death nor on FMCS as a former client who has since closed, may I skip over the Voter Registration questions on BEACON?

**A. 6.** Yes, you must skip the Voter Registration questions, in these cases only.