Funeral Costs

General Principle

A supplement may be provided to pay *necessary funeral costs* of any person who dies in BC if the *legal representative* can demonstrate that the estate of the deceased person or any *responsible person* has no immediate resources to meet these costs.

There is no requirement for the deceased person or the person's family to be Income Assistance recipients to qualify for the funeral supplement. Costs are to be recovered whenever possible.

Definitions

See Definitions section, under INAC's *Social Development Policy and Procedures Manual, Vol 1, BC Region*, for income assistance, disability assistance, hardship assistance or a supplement.

Policy

Eligibility Criteria

Necessary funeral costs may be paid for persons who die in BC when no resources are available from the estate of the deceased person or from any *responsible persons.*

If there are sufficient resources available to the responsible persons or from the estate, the *Administering Authority* will not pay the funeral supplement. Co-funding may be considered when resources available to *responsible persons* or from the estate cannot pay the entire cost.

There is *no* requirement that the deceased person or the person's family be Income Assistance recipients to qualify for the supplement.

Any funeral expenses paid by the *Administering Authority* are a debt due to the *Administering Authority* and may be recovered.

If the person was residing off a First Nations reserve at the time of death, and burial is to take place on a reserve within BC, the provincial Ministry of Social Development and Social Innovation may pay. [See Policy – Burial on a First Nations Reserve]

Administering Authority clients who were Income Assistance recipients immediately prior to their death, and who were temporarily outside of BC, but within Canada, may be eligible for a funeral supplement if prior approval is granted by the Administering Authority.

The Administering Authority *does not pay* for any funeral service costs that are incurred outside of BC if the deceased person was not an Income Assistance recipient. Funeral service costs for non-recipients may be paid if the body is transported back to BC at no cost to the Administering Authority.

Legal Representative

Determining the *legal representative*, usually the nearest relative, is based in part upon Section 5(1) of the Province of British Columbia's *Cremation, Internment and Funeral Services Act,* and is **in the order listed below**.

a) the personal representative named in the will of the deceased;

b) the spouse of the deceased;

c) an adult child of the deceased;

d) an adult grandchild of the deceased;

e) if the deceased was a minor, a person who was a legal guardian of the person of the deceased at the date of death;

f) a parent of the deceased;

g) an adult sibling of the deceased;

h) an adult nephew or niece of the deceased;

i) an adult next of kin of the deceased, determined on the basis provided by sections 89 and 90 of the Province of British Columbia's *Estate Administration Act*;

j) an adult person having a personal or kinship relationship with the deceased, other than those referred to in paragraphs (b) to (d) and (f) to (j).

* If the person at the top of the order of priority is unavailable or unwilling to give instructions, the right to give instructions passes to the person who is next in priority.

If the right to control the disposition of human remains or cremated remains passes to persons of equal rank, the order of priority:

a) is determined in accordance with an agreement between or among them; or,

b) in the absence of an agreement begins with the eldest of the persons and descends in order of age.

Responsibility of the Legal Representative

The *legal representative* must first apply to the *Administering Authority* to determine eligibility for payment of funeral services costs. Requests for payment of costs must come from the *legal representative*, not the *funeral services provider*.

Information required from the *legal representative* includes all of the following:

a) name and address of the deceased;

b) name of the next of kin;

c) a statement of the deceased's income and assets; and

d) a request to cover funeral costs.

Once eligibility for payment of funeral services costs has been approved, arrangements can be made. [See Procedures – Determining Eligibility for Funeral Costs]

The *legal representative* is responsible for making decisions (such as burial or cremation) related to the funeral arrangements and arranging for payment of the costs. If there are no relatives to assume this responsibility, the *AANDC Estates Officer* may request the *Administering Authority* to assume the role and make arrangements for services and payment to the *funeral services provider*. [See Policy – Disposition of Human and Cremated Remains]

The decision on how the deceased person's remains are disposed is made by the *legal representative*. Once the decision regarding disposition is made by the *legal representative*, the *Administering Authority* pays the necessary costs up to the maximum limits noted in this policy directly to the *funeral services provider*.

Disposition of Human and Cremated Remains

Where the *Administering Authority* has control of disposition as outlined above, the *Administering Authority* will choose immediate disposition and cremation unless the rules, practices and beliefs respecting disposition held by people of the religious faith of the deceased are a factor, or the deceased has indicated a preference with respect to disposition as laid out in the *CIFSA*.

If the *Administering Authority* has control of the human remains and the deceased has expressed a written preference in a will or pre-need cemetery or funeral services contract respecting the disposition of his or her cremated remains as outlined in the *CIFSA*, then the *Administering Authority* will fulfill the preference of the deceased in accordance with the *CIFSA* and INAC policy.

Where the *Administering Authority* has control and chooses cremation, the *Administering Authority* will follow the provincial cremation policy.

Eligible Funeral Service's

1. Funeral Providers Basic Service Fee - $1285 maximum

Where eligibility for service has been established, whether burial or cremation is chosen, the *Administering Authority* will pay a funeral provider's basic service fee up to the amount shown in Rate Table: Funeral Costs – Funeral Provider's Basic Service Fee is on the *Funeral Services Billing* form (SA 108).

This basic fee covers the cost of an immediate disposition and must include, at a minimum, the following:

a) Transporting a deceased person's body 32 kilometres or less within British Columbia;

b) Completing and filing the registration of death;

c) Obtaining a burial or cremation permit;

d) Professional and staff services including:

- counselling and co-ordination with the *legal representative* of deceased;
- co-ordination with the crematorium and cemetery;

e) Preparing a deceased person's body for burial or cremation including:

- basic sanitary care; and,
- casketing;

f) Use of facilities and equipment of a *funeral services provider* including:

- preparation room;
- refrigeration;
- parking; and,
- service areas;

g) Transfer of the deceased from the funeral home to the cemetery or crematorium.

2. Other Items or Service Fee - $815 maximum

Other items or services are considered in addition and incidental to the services provided under the basic service fee. The *funeral services provider* may charge up to the maximum amount shown in Rate Table: Funeral Costs – Other Items or Services Fee. These additional fees are to be itemized on the *Funeral Services Billing* form (SA 108).

These services must be requested by the family and agreed upon between the *funeral services provider* and the *legal representative* of the deceased:

a) co-ordination of bereavement rites and ceremonies;

b) attendance of staff services and visitation;

c) preparation of the deceased including embalming, dressing, hairdressing; and,

d) use of a funeral home or chapel facilities and equipment for a memorial and funeral services.

Not all of these items will be requested all of the time.

3. Transportation

a) Where eligibility for service has been established, whether burial or cremation is chosen, the *Administering Authority* will pay for transportation of the body within BC. [See Policy – Funeral Services Rate Table]

b) For *income assistance recipients* who die in Canada and were *Administering Authority* Income Assistance clients immediately prior to their death, where eligibility for service has been established, the *Administering Authority* may pay the cost of either:

- preparing the deceased person's body for transport and transporting the body to British Columbia, if the burial or cremation is to take place in British Columbia; **or**,
- transportation within the Canadian province or territory in which the death occurred, if the burial or cremation is to take place within that province or territory.

The *Administering Authority* will provide payment at the lowest reasonable cost and only if prior approval has been obtained.

4. Caskets

Where eligibility for service has been established, whether burial or cremation is chosen the *Administering Authority* will pay for either or both of the following:

a) an Imperial #2 HP cloth-covered casket (or equivalent) at actual invoiced factory cost, plus a merchandising mark-up of up to 20 per cent, plus the cost of freight to the funeral home;

b) additional cost of casket for oversized remains.

A lower cost casket will be used when requested by the *legal representative*.

For casket expenditures, enter the amount of each cost on the *Funeral Services Billing* form (SA 108).

5. Burial

Where eligibility for service has been established and burial is chosen, the *Administering Authority* will pay the following in addition to the *funeral service provider's* service fee:

a) cost of a burial plot: in British Columbia in an amount not to exceed the lowest reasonable cost:

- where cemeteries in the local area offer different price ranges, the lowest priced burial plot is to be used;
- grave opening and closing fees.

b) where required by the cemetery, the cost of a concrete grave liner, hermetically sealed rigid container, plastic body pouch, or outer grave box or liner.

Burial outside the local area, but within BC, may be authorized when the total costs that would be payable for transportation, plot, grave opening and closing fees, grave liner, container, pouch and box are not greater than what would be paid for local burial. The *Administering Authority* may determine what is considered to be the "local area" for burial purposes.

- CONTRADICTORY SINCE ON-RESERVE WE DON'T CHARGE

For burial expenditures, enter the amount of each cost on the *Funeral Services Billing* form (SA 108).

6. Cremation

Where eligibility for service has been established and cremation is chosen, the *Administering Authority* will pay the following in addition to the *funeral service provider's* service fee:

a) cremation fees;

b) an urn at a cost of up to $200

c) cost of a cremation plot in British Columbia in an amount not to exceed the lowest reasonable cost:

- where cemeteries in the local area offer different price ranges, the lowest priced cremation plot is to be used;

d) grave opening and closing fees;

e) where required by the cemetery, the cost of a concrete grave liner.

Burial of the cremated remains outside of the local area, but within BC, may be authorized when the total costs that would be payable for a cremation plot, grave opening and closing fees and grave liner are not greater than what would be paid for local burial. Cremated remains may only be returned to the *legal representative* [see Policy – Legal Representative] of the deceased. For cremation expenditures, enter the amount of each cost on the *Funeral Services Billing* form (SA 108).

7. Additional Items – not covered

The *Administering Authority* will **not pay** for additional items and services purchased by other parties. Anyone, including *responsible persons,* who wish to purchase additional goods or services (i.e., those not listed in this policy), may do so.

When *responsible persons* purchase upgrades to goods and services paid for by the *Administering Authority*, (for example, upgrades to a casket or plot), the cost of these upgrades will be deducted from the amount payable by the *Administering Authority*.

Co-funding may be considered when resources available to responsible persons or from the estate cannot pay the entire cost.

For example, if the spouse of the deceased wishes to upgrade the casket, the funeral supplement will be reduced by the amount the spouse spent on the upgrade. However, if the spouse wishes to buy a special flower arrangement, eligibility for the supplement is not affected. If the deceased person's brother wishes to upgrade the casket, eligibility is not affected since he is not included in the definition as a responsible person.

For additional services that are the responsibility of other parties and not paid for by the *Administering Authority*, see the *Funeral Services Billing* form (SA 108).

- **Burial Outside of the Local Area**

When the deceased is buried outside of the local area and two funeral directors provide services, the fees will be divided between the two directors as follows:

a) 60 per cent of the funeral provider's service fee will be allotted for preparation of the body, certification of death, and casketing in the area where the death occurred;

b) the remaining 40 per cent of the funeral provider's service fee will be paid to the funeral director in the burial area;

c) the cost of the casket will be paid to the funeral director in the area where the death occurred.

In order to determine the proper percentage for payment, review the *Funeral Services Billing* form (SA 108).

- **Burial on a First Nations Reserve**

If the person was residing off a First Nations reserve at the time of death the *legal representative* should contact the Ministry of Social Development and Social Innovation at 1-866-866-0800 and ask to speak with a Funeral Worker. [See Policy – Role of Legal R*epresentative]*

Information required from the *legal representative* includes **all** of the following:

a) name and address of the deceased;

b) name of the next of kin;

c) a statement of the deceased's income and assets; and

d) a request to cover funeral costs.

Where eligibility for service has been established, if the person was residing off a First Nations reserve at the time of death, and burial is to take place on a reserve within BC, the provincial Ministry will pay any or all of the following:

a) 60 per cent of the funeral provider's service fee to a local funeral director for preparation of the body and certification of death;

b) the cost of the casket to the local funeral director;

c) transportation of the body to the reserve.

The balance of the funeral service costs will be the responsibility of the *Administering Authority* to determine eligibility with the *legal representative*.

Cost Recovery

Requests for *Administering Authority* funding for funeral costs are often diverted when *legal representatives* are made aware of alternative sources that may be available to the deceased person's estate. It is essential that *Administering Authority* staff initiate cost recovery whenever possible. Under no circumstances may the amount recovered from any source exceed the amount of the funeral services costs paid by the *Administering Authority*.

If the deceased person was a *recipient* of *Administering Authority* Income Assistance, the assistance cheque for the month of death is the property of the estate, and any subsequent cheques are to be reclaimed from the estate.

Whenever possible, the *Administering Authority* staff member will request reimbursement from the *legal representative* for all funeral services costs paid by the *Administering Authority*.

To assist the *legal representative* in locating and accessing the financial assets of the deceased, the *Band Social Development Worker* will provide the information needed to discharge the *legal representative's* responsibilities. This information may include any of the following:

a) name and address of next of kin;

b) statement of income and assets;

c) location of any safety deposit boxes.

The following may be potential sources for payment or recovery of funeral costs:

a) assets of the deceased person (including bank accounts, RRSPs);

b) Canada Pension Plan Death Benefit [see Procedures - *Resources*];

c) alternative sources related to the cause of death, such as:

- Insurance Corporation of BC (if motor vehicle accident) [see *Contacts and Resources*];
- Workers Compensation Board (WCB) (if related to the workplace) [see *Contacts and Resources*];
- WCB Victim's Assistance (if a homicide);

d) Last Post Fund for veterans.

Last Post Fund

The Last Post Fund (LPF) operates in co-operation with, and is financially supported by, Veterans Affairs Canada and provides funeral and burial services for war veterans or civilians who meet wartime service eligibility criteria. Deceased veterans may be entitled to burial arrangements through the LPF. For information on the LPF, contact Veterans Affairs Canada, see Contacts and Resources.

Funeral Costs Authorities and Responsibilities

Band Social Development Worker is responsible for:
◦ reviewing the SA 108 form for accuracy ◦ authorize eligible expenditure items listed on SA 108 form ◦ complete *Budget and Decision Form* (901-25) ◦ initiating cost recovery procedures (where applicable) ◦ prepare financial payment for payment to *funeral services provider*

Funeral Service Provider is responsible for:
◦ completing the *Funeral Services Billing* (SA 108) form and submitting it to the *Administering Authority*

Funeral Services Rate Table

Funeral Item	Funeral Rate
Funeral provider's basic service fee	Up to $1285
Other items or services fee	Up to $815
Transportation fee	Kilometres 0 to 32 is included in funeral provider's basic service fee Kilometres 33 to 82 is $1.00 per km Kilometres 83 to 182 is $0.90 per km Kilometres above 182 is $0.60 per km
Cost of urn	Up to $200

Procedures

Eligibility	Documentation and Forms
Applicant or Recipient	◦ *Funeral Services Billing* (SA 108) form ◦ *Budget and Decision Form* (901-25) ◦ *Income Assistance Report* (DCI #455897) ◦ All other required income assistance documents

Resources	◦ Income Assistance Report (DCI 455897) http://www.fnsds.org/wp/wp-content/uploads/2013/09/2013-2014-INCOME-ASSISTANCE-REPORT-DCI455897-v1-02.pdf ◦ Recipient Reporting Guide http://www.aadnc-aandc.gc.ca/dci/dcilog_e.asp ◦ Instructions for the Funeral Services Billing (SA 108) form (see Vol. 3, Appendix 8) ◦ Ministry of Social Development and Social Innovation (MSDI) toll free number 1-866-866-0800 ◦ BC Funerals Association http://www.bcfunerals.com/ ◦ MSDI web site for Funeral dated April 2010 http://www.gov.bc.ca/meia/online_resource/general_supplements/funeral/policy.html ◦ Insurance Corporation of BC http://www.icbc.com/claims/Pages/default.aspx ◦ Application for CPP Death Benefit http://www.esdc.gc.ca/cgi-bin/search/eforms/index.cgi?app=profile&form=isp1200&lang=e

Determining Eligibility for Funeral Costs

To determine eligibility for *Administering Authority* assistance with funeral costs for a deceased person, the *Administering Authority* staff shall complete the following steps:

1. Contact the deceased person's *legal representative*
2. Review the funeral arrangements that are being requested.
3. Review the financial situation of the deceased person with the *legal representative*
4. Record the following information:
    - Name and address, of the deceased person
    - Determine if the deceased person was a recipient of income assistance
    - Name, address and contact information of legal representative
    - Determine the relationship of legal representative based on the order outlined in the Section 5(1) of the Province of British Columbia's Cremation, Internment and Funeral Services Act [See Policy – Legal Representative]

- Verification of available income, assets and available resources
- Available supporting documentation, such as a will
- Funeral arrangement requested
- Review eligibility decision with *legal representative*

Payment after the fact should be very rare and will only be considered if the funeral costs have not yet been paid and the responsible persons can prove there are no resources available to them (for example, the money was borrowed or the responsible persons must repay a 3rd party and there are no available resources with which to do so).

5. Confirm what resources are or may be available for funeral costs, including:
   a. the deceased person's assets,
   b. resources available from any of the responsible persons,
   c. contributions from family members, and
   d. possible alternate sources of payment for funeral costs.

   If there are no available resources, proceed with application.
6. Contact Service Canada regarding eligibility for the CPP Death Benefit. Review the request for funeral services with the *legal representative* if Service Canada advises there is eligibility for the CPP Death Benefit. Confirm with the *legal representative* whether there are resources to pay out of the estate or from any other sources for the funeral costs prior to applying for reimbursement from Service Canada. If there is eligibility for the CPP Death Benefit and the *legal representative* verifies there are no immediate funds to pay for the funeral services, the *Administering Authority* worker is to proceed with the application. If there is no eligibility for the CPP Death Benefit and the legal representative confirms there are no available resources, proceed with application [See Procedures – Cost Recovery].
7. Determine allowable funeral costs that are covered in policy and allowable costs as set out in the Funeral Services Rate Table and described on the SA 108 form.
8. Provide the *legal representative* and *funeral services provider* with information on how upgrades and co-funding may impact the amount of the funeral supplement. [See Policy – Additional Items]
9. Advise the *legal representative* and the *funeral service provider* of the eligibility decision regarding funeral costs and the funeral arrangements.
10. For costs approved by the Administering Authority, advise the *funeral services provider* to submit a *Funeral Services Billing* (SA 108) form, an original or certified true copy of the invoice/contract (and, if available, an original or certified true copy of the Death Certificate).

    In a cost recovery situation, administering authority may apply for a death certificate if an original or certified true copy is not available [See Procedures- Death Certificate].

Paying Funeral Costs

To process payment for funeral costs, follow these steps:

1. Review and complete the *Funeral Services Billing* (SA 108) form for accuracy and authorize payment by completing Section B.
2. Complete a *Budget and Decision Form* (901-25)
3. Place a copy of all documentation in the eligible recipient's file for the burial expenditure.
4. Initiate payment to the funeral service provider.

Cost Recovery

If the deceased person had a will, the executor is responsible for paying for the funeral costs from the deceased person's estate, and the *Administering Authority* is rarely involved.

Prior to making an eligibility decision in cases where a will exists, *Administering Authority* staff must obtain a copy of the will, and most recent bank statements and a profile of the deceased person's financial situation from the financial institution in order to verify the need for *Administering Authority* assistance with funeral costs.

For deceased persons without a will, the *legal representative* has the primary responsibility for accessing sources of funds for paying funeral costs. [See Policy – Legal Representative]

The *Administering Authority* is responsible for following up with the *legal representative* to initiate recovery of funeral costs paid by the *Administering Authority* from funds that may be received for the deceased person's estate following the funeral.

CPP

If the deceased person may be eligible for the Canada Pension Plan (CPP) Death Benefit, a claim should be completed by *Administering Authority* with the family's permission as soon as possible (where appropriate) and directed to the nearest CPP office to complete a Human Resources and Social Development Canada (HRSDC) *Application for a Canada Pension Plan Death Benefit* (ISP1200). For general information on eligibility for the CPP Death Benefit, contact HRSDC.

Death Certificate

A death certificate or a certified copy of a death certificate is required for claiming the CPP Death Benefit and for assisting the *legal representative* with accessing the financial assets of the deceased. A death certificate should be obtained if it is needed to access financial assets or if the deceased is eligible for the CPP Death Benefit.

To apply for a death certificate, a designated *Administering Authority* staff member may provide a paper copy of the Application for Death Certificate.

Payment should made as described on the form and copy attached to *Budget and Decision Form* (901-25). These payments are eligible ***only when cost recovery*** is being made. Otherwise, funeral costs **do not require** a copy of the death certificate.

Paper method: Clients applying for a death certificate complete the *Application for Death Certificate*, and provide it to administering authority staff for processing payment.

These forms may be photocopied, obtained directly from the Vital Statics Agency in your area.

Budget and Decision Form (901-25)

The *Budget and Decision Form* (901-25) is used to document the expenditure of the **approved** Funeral Costs for the **Basic Needs** expenditure:

1. Comment section - indicate "Funeral Costs";
2. Under Burial section – write amount of expenditure under Monthly Requirements, for Current Month;
3. Signatures of both the *legal representative* and *Administering Authority*;

All required documentation (i.e., copy of the funeral service invoice, SA 108 form) is to be attached to the form.

DCI #455897 – INCOME ASSISTANCE REPORT

Eligible recipients are reported under number Part A and eligible Funeral Cost expenditures are reported under Part B, Financial Management Report, under number 14. Income Assistance Expenditures, (a) Basic Needs on the *Income Assistance Report* (DCI #455897).

The *Administering Authority* is to report all expenditures and caseload information by completing:

1. Pages 1-4, Part A caseload details for applicant/recipient; and
2. Pages 5-6, Part B *Financial Management Report* sections:
    14. Income Assistance Expenditures,
    15. Shelter Information,
    16. Children Out of Parental Home,
    17. National Child Benefit Supplement Tracking, and
    18. Declaration.