

Kansas Administrative Regulations

State Board of Mortuary Arts

Article 3.—Preparation and Transportation of Bodies, Burial in Mausoleums and Funeral Establishments

63-3-21. General requirements relating to prefinanced funeral agreements.

(a) Each funeral director shall transfer all funds obtained by any prefinanced funeral agreement funded by one or more insurance policies, upon request by the purchaser, to the funeral director that provides the services or merchandise, or both, as specified in the prefinanced funeral agreement.

(b) If any balance is left in the prefinanced funeral agreement funded by an insurance policy after the disposition of the funds according to the agreement, the funeral director shall pay the remaining balance to the purchaser, the estate of the deceased, or the family of the deceased. However, if the purchaser or the deceased received any medical assistance from the department of social and rehabilitation services and if the department of social and rehabilitation services has provided the funeral director with written notice that the purchaser or the deceased had received medical assistance, then the funeral director shall pay the remaining balance, to the extent of the cost of the medical assistance expended on the purchaser or deceased recipient, to the secretary of social and rehabilitation services or the secretary's designee.

(Authorized by K.S.A. 74-1707; implementing K.S.A. 2003 Supp. 16-311, as amended by L. 2004, ch. 36, sec. 2; effective March 16, 1992; amended Nov. 12, 2004.)

***** Authenticated Kansas Administrative Regulation *****