

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 4.—Public Assistance Program

30-4-98. Funeral assistance.

Assistance may be provided for funeral expenses upon the death of a recipient at the discretion of the secretary.

(a) Funeral expenses. Funeral expenses may include the cost of any of the following, based on available resources and the requirements in this regulation:

- (1) The preparation of the body;
- (2) a minimal casket or urn;
- (3) the transportation of the body within Kansas; or
- (4) a cremation.

(b) Application. Each request for funeral assistance shall be made within six months after either the date of death or the date on which the body is released by a county coroner, whichever is later.

(c) Treatment of resources.

(1) If a decedent, at the time of death, was not living with a child of the decedent who was under the age of 21, the spouse of the decedent, or an adult disabled child of the decedent, the total estate of the decedent shall be considered available. This provision shall not be applicable in situations in which there were separate living arrangements because of the need for institutional care. The estate shall not be allowed any exemptions.

(2) Eligibility for assistance shall be based on the assets owned by the family group at the time of the decedent's death, under either of the following circumstances:

(A) At the time of death, the decedent was living with a child of the decedent who was under the age of 21, the spouse of the decedent, or an adult disabled child of the decedent, or the decedent was a child under the age of 21 living with the parent of the decedent.

(B) There were living arrangements separate from one of the persons specified in paragraph (c)(2)(A) because of the need for institutional care.

(3) The total amount of proceeds on any life insurance policy on the decedent shall be considered available if the policy was owned by the decedent, the spouse of the decedent, or, if the decedent was a child under the age of 21, the parent of the decedent.

(4) Death benefits from SSA, VA, railroad retirement, KPERS, and any other burial funds shall be considered available.

(d) Resource limit. If the value of the resources considered available in accordance with subsection (c) does not exceed \$2,000, funeral assistance may be provided. If the resource value exceeds \$2,000, the decedent shall be ineligible for funeral assistance.

(Authorized by and implementing K.S.A. 2018 Supp. 39-708c and K.S.A. 39-713d; effective Aug. 11, 2006; amended Jan. 1, 2008; amended May 3, 2019.)

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