

## **Some Connecticut Statutes Concerning Funeral Service Contracts**

### **CGS Section. 42-200**

- assignment of a death benefit payable under an individual or group life insurance policy in exchange for the final disposition of the funeral service contract beneficiary
- Funeral service contract must be in writing and include:
  - Name, address, telephone number and social security number of both the contract beneficiary and the purchaser
  - Name, address, telephone number and license number of the funeral director for the funeral home
  - A Statement of Goods and Services, if any
  - The amount of funds paid or to be paid by the purchaser for such contract
  - the method of payment
  - How such funds will be invested and how investments are limited to certain escrow agents
  - Name and address of the escrow agent
  - Any price guarantees by the funeral home, if any, or a specific statement if there are no guarantees
  - A written representation, in clear and conspicuous type, that the purchaser should receive a notice from the escrow agent acknowledging receipt of the initial deposit not later than twenty-five days after receipt of such deposit by a licensed funeral director
  - Any fees to be paid from the escrow account to the escrow agent, or any third party provider
  - cancelling a revocable funeral service contract and the effect of cancelling such contract
  - Transferability to another funeral home
  - Signatures of funeral director and purchaser

### **CGS Sec. 42-207.**

- Irrevocable funeral service contract not to exceed \$10,000
- Inaccessible interest, growth or dividends.
- Transferable to another funeral home
- Revocable contract is also permitted.
- Commissioner of Social Services needs written notice from Medicaid beneficiary in order to cancel a revocable contract.
- Funeral Home is liable to return unused funds to the Commissioner of Social Services no more than 60 days after services have been performed.

**CGS Sec. 17b-91**

The Commissioner of Social Services shall exclude, in determining eligibility for state supplement program and temporary family assistance:

- Irrevocable funeral service contract
- Face value of life insurance policy if the cash surrender value is excluded through the irrevocable transfer of the ownership of the policy to a trust
- Or any combination thereof
- the value of a burial plot for the individual
- Burial plot includes the purchase of:
  - A gravesite
  - Opening and closing of the gravesite
  - Cremation urn
  - Casket
  - Outer burial container
  - Headstone or marker

**CGS Sec. 17b-84**

The Commissioner of Social Services, upon the death of any beneficiary under the state supplement program or the temporary family assistance program, shall:

- Pay up to \$1,800.00 towards the funeral expenses for the decedent
- This amount is reduced by any prepaid irrevocable and/or revocable funeral service contracts
- The face value of any life insurance policy that names a funeral home, cemetery, or crematory as beneficiary
- Net value of all liquid assets in decedent's estate
- Contributions from all sources in excess of \$3,400.00 toward the funeral/burial expenses of the decedent
- If the \$1,800.00 is reduced, the Commissioner may disclose information to the funeral home, cemetery or crematory