

Burial Plan Funds

What are Burial Plan Funds?

The Burial Plan account is established by the MO HealthNet participant or family member through a funeral home prior to death by the purchase of a Burial Plan or Preneed contract. When the Family Support Division determines eligibility for public assistance, the value of burial lots or any amounts placed in an irrevocable prearranged funeral or burial contract shall not be taken into account or considered an asset of the burial lot owner or the beneficiary of such contract.

Statutory Authority

Burial Plan Funds are mandated by a state statute in order to maximize the recovery of MO HealthNet expenditures from deceased participants.

- **State Authority**
 - RSMo 208.010
 1. The state is allowed to pursue recovery of MO HealthNet expenditures from excess Irrevocable Burial Plan funds.

Burial Plan Funds Identification Sources

The funeral home shall notify the Department of Social Services about the excess funds remaining from the deceased participant's burial contract.

- **Primary Identification Sources**
 - The funeral home shall mail correspondence to MO HealthNet Division (MHD)
 1. This letter should include participant's name, date of death, date of birth, Social Security number and the amount of the remaining funds in the participant's burial contract.
 - The nursing home shall mail correspondence to MHD
 1. The nursing home provides the Department with the name of participant, funeral home name and telephone number.

Burial Plan Recovery Procedures

Once the funeral home has identified the deceased person as a MO HealthNet participant,

- The facility will need to provide the Department of Social Services written verification of remaining funds in the participant's burial contract.
- The department shall notify the funeral home by letter in regards to their claim on the excess burial contract funds for expenditures paid on behalf of the participant .
- The funeral home shall pay the claim made by the department from the participant's excess burial contract funds.

Potential Benefits Of Burial Plan Recoveries

A Burial Plan Recovery program could have a significant positive impact on maximizing the recovery of MO HealthNet expenditures of participants.

- **Potential Benefits**

- The increased recoveries would lessen the tax burden of Missouri citizens while ensuring that individuals that need long-term care or public assistance could receive it without facing total financial devastation.

Potential Issues With Burial Plan Recoveries

Many MO HealthNet participant family members request any excess Burial Contract funds be given to them.

- **Potential Issues**

- If the beneficiary of an irrevocable prearranged funeral or burial contract receives any public assistance benefits and if the purchaser of such contract or his or her successors cancel or amend the contract so that any person would be entitled to a refund, such refund shall be paid to the state of Missouri.
- The Division of Family Support MO HealthNet application form would need to be revised in order to inform MO HealthNet applicants of the Burial Plan Recovery program.