

## MINISTERIAL DIRECTIVE

### Funeral, Burial and Cremation Program Guidelines

2014-04

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#### 1. Background

Health and Social Services Authorities (HSSAs) across the Northwest Territories (NWT) have historically provided financial support to families and deceased individuals who have no next-of-kin to assist with funeral, burial and cremation expenses. The level of assistance provided has, however, differed significantly among the HSSAs.

The Department of Health and Social Services (DHSS) remains committed to assisting eligible families and individuals with funeral, burial and cremation expenses. The attached Funeral, Burial and Cremation Guidelines were developed to ensure that support for eligible applicants is consistent across the NWT regardless of their home community or region.

#### 2. Purpose

This Ministerial Directive requires that all HSSAs follow the attached program guidelines when determining eligibility for benefits and approving funeral, burial and cremation expenses.

#### 3. Definitions

HSSA: The Health and Social Services Authority serving the community in which the funeral, burial or cremation service takes place and, in the case of more than one HSSA involved, the HSSA designated by the DHSS to administer this policy.

Next-of-Kin: For the purpose of these guidelines, the next-of-kin is considered to be the surviving spouse of the deceased. If the deceased has no surviving spouse, the closest surviving relative is considered to be the next-of-kin. If the deceased is a dependent child, the parent/parents or legal guardian are considered to be the next-of-kin.

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MD-2017-03

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#### 4. Exceptions and Restrictions

Funeral, burial or cremation expenses must not be paid by a HSSA unless a completed application has been received by the HSSA, and the deceased or next-of-kin is either verified indigent or assessed as eligible for assistance under this program. Eligibility for any other private or public program, payment or benefit must also be considered in either case prior to approval. DHSS is the payer of last resort.

#### 5. Amendment

The Minister may amend this Directive in writing from time to time.

#### 6. Effective Date

This Directive comes into effect on the date of signing.

<original signed by> \_\_\_\_\_  
Glen Abernethy  
Minister of Health and Social Services

July 17, 2014 \_\_\_\_\_  
Date

Schedule A: Program Guidelines

Schedule B: Application for Financial Assistance-Funeral, Burial and Cremation Program

## Schedule A - Program Guidelines

### Definitions:

Benefit Administrator: Person(s) designated by the HSSA to process applications for financial support under this program pursuant to the eligibility criteria.

C.M.A.S.: Case Management Administrative System used by the Department of Education, Culture and Employment (ECE) to administer the Income Assistance Program.

Estate: The assets of a deceased person. Assets might include: money, life insurance, property, cars, trucks, boats, snowmobiles, stocks, bonds, jewellery, personal possessions, household effects and anything owed to a person when they die such as final wages, income tax refunds and pensions. The person responsible for managing the deceased person's estate (generally a family member, Executor/Administrator of a will, or the Public Trustee) must consider all the assets and liabilities of a deceased person in order to determine the actual value of their estate.

HSSA: the Health and Social Services Authority serving the community in which the funeral, burial or cremation service takes place and, in the case of more than one HSSA involved, the HSSA designated by the DHSS to administer this policy.

Means Test: The process of reviewing the finances of the deceased and/or next-of-kin (as defined below) in order to determine eligibility for financial assistance under this program. A means test must be conducted for all applicants, except if the deceased or next-of-kin is verified indigent. The necessary financial information is collected as part of the "Application for Funeral and Burial Assistance" which is attached as Schedule B.

Next-of-Kin: For the purpose of these guidelines, the next-of-kin is considered to be the surviving spouse of the deceased. If the deceased has no surviving spouse, the closest surviving relative is considered to be the next-of-kin. If the deceased is a dependent child, the parent/parents or legal guardian are considered to be the next-of-kin.

Verified Indigent: A person in need of income assistance as outlined in the *Social Assistance Act* and Regulations. The Income Assistance Program (ECE) can confirm if an individual is verified indigent.

## **Program Criteria:**

1. Funeral, burial and cremation expenses are the first charge on an estate.
2. If financial assistance for funeral, burial and cremation expenses is needed, the next-of-kin or person responsible for managing the deceased's financial affairs and/or for making the funeral arrangements must submit a completed application to the HSSA to be considered for assistance under this program.
3. A deceased person and/or their next-of-kin who is confirmed to be Verified Indigent are eligible for assistance. Eligibility for any other private or public payment, benefit, or program that assists with funeral, burial or cremation expenses must be considered.
4. For all applications other than those of Verified Indigent persons, a means test will consider if there are sufficient funds in the estate of the deceased person to pay for the funeral, burial or cremation, and/or if the next-of-kin has the means to pay for the funeral, burial or cremation expenses. Eligibility for any other private or public payment, benefit, or program that assists with funeral, burial or cremation expenses must be considered.
5. Generally funeral, burial or cremation arrangements should not be finalized until eligibility is established. However, in some cases, an application can be received or finalized after the funeral has occurred and estate matters have been settled. Next-of-kin and families should be advised of eligible expenses under this program in order to plan accordingly.
6. The next-of-kin or family of the deceased may choose to "upgrade" any of the funeral, burial or cremation services. They will be responsible for the cost difference between the assessed amount granted under this program and the total amount of the funeral, burial or cremation.

## **Eligible Types of Expenditures**

1. The Benefits Administrator may approve expenditures for eligible applicants on the least expensive of the following eligible expenses:
  - a. Transportation of a body within the Northwest Territories to the place of burial in situations where an individual dies in a place other than the individual's/family's chosen place of burial.
  - b. Cremation or burial. Cremation includes a cremation container, the cost of transportation to a crematorium, cremation, return of remains, an urn and cremation plot. Burial includes a casket, cemetery plot, and interment.

- c. The cost of preparing a body for viewing and/or inter-jurisdictional transportation.
  - d. Viewing and a funeral or memorial service, including the rental of a hall, funeral home or church, someone to direct the service, and services of a funeral director to arrange the service if available.
  - e. Temporary grave marker.
  - f. Administrative costs such as the cost of burial permit, death certificate, fees related to coordinating transportation of the remains if applicable, and facility storage fees.
  - g. Clothing for burial if needed.
2. The costs of transporting a body to the chosen place of burial will be covered for eligible applicants under this Program, except in the following circumstances:
  - a. A person who has been referred to a health facility outside his/her home community by a medical practitioner for treatment dies while on referral. In these cases, Medical Travel will cover the transportation and associated costs to return the body of a deceased person to his/her home community.
  - b. The RCMP or the coroner has ordered the body to be transported (e.g. to perform an autopsy). In these cases, the referring agency must pay the cost of transporting the body from the place of death and back to the place of death, or to another location in the NWT if acceptable to all parties.
3. If no next-of-kin can be located, the Benefit Administrator may contact a funeral director to make arrangements for deceased persons who are determined to be eligible for financial assistance under this program.
4. Referrals should be made to the beneficiary's guardian, the beneficiary's trustee or the Public Trustee, as deemed appropriate, if the beneficiary is a child, if the beneficiary is an adult under trusteeship or an adult deemed mentally incompetent under the NWT Mental Health Act, if the beneficiary is a senior citizen (65+) if incapable of handling their financial assets, or if there are significant assets and no next of kin can be found. General Information about the services of the Public Trustee can be found at [www.iustice.gov.nt.ca/PublicTrustee/index.shtml](http://www.iustice.gov.nt.ca/PublicTrustee/index.shtml) or they can be contacted at 867-873-7464, or 867-535-0423.
5. The maximum benefit received for funeral, burial and cremation services is to be established by the Deputy Minister.

6. The Deputy Minister may approve exceptions to benefit levels and consider appeals for applications that are denied.

### **Review, Approval and Follow-Up Process**

1. The Benefit Administrator may approve the application if they:
  - a. confirm with ECE that the deceased's name and/or next-of-kin's name is on C.M.A.S at the time of death, or
  - b. a means test has been conducted and it has been determined that there are insufficient funds in the estate and/or a budget shortfall for the next-of-kin, and
  - c. a completed application for financial assistance by the next-of-kin or the person responsible for managing the estate and/or making the funeral arrangements is received.
2. The Benefit Administrator may not approve payment, except if there will be significant delays in receiving funds and no family member is able to cover costs, when:
  - a. the deceased person had a valid insurance policy that made provision for funeral and burial expenses.
  - b. the person died as a result of an accident and her/her employer or another party was responsible for paying the funeral costs under an agreement, contract or other type of insurance coverage.
  - c. the deceased or next-of-kin is eligible for a benefit through any other private or public benefit, program or payment that assists with the cost of funeral expenses.
3. The Benefit Administrator may authorize partial or full payments of the funeral, burial or cremation, up to the maximum benefit level.
4. The Benefit Administrator must seek re-imburement from the family/estate if it is determined at a later date that the applicant or deceased was ineligible, or that there are sufficient funds in the estate, or that payments from other sources were received (i.e.: insurance) by the next of kin.
5. The Benefit Administrator must apply for the CPP Death Benefit if the deceased was eligible, and funeral, burial or cremation expenses were paid by the HSSA. Information and an application form can be found on the Service Canada website. This should be discussed with the next-of-kin and/or family in advance.

## Notes for Benefit Administrator

- All programs and benefits to which the deceased or next-of-kin is entitled, or sources of income for the deceased, are to be considered when determining eligibility or seeking re-imbursement. These might include:
  - a. existing Bank Accounts
  - b. Canada Pension Plan (Death Benefit)
  - c. income for the month of death such as unpaid wages, the Canada Pension Plan, Old Age Security (OAS), Guaranteed Income Supplement (GIS), and/or the War Veteran's Allowance
  - d. Last Post Fund for eligible war veterans
  - e. financial assistance from the band for funeral and burial/cremation
  - f. refunds on special care home charges
  - g. third party insurance payments
  - h. employee death benefit
  - i. any other private or public payment, benefit or program to which the deceased or survivor is entitled.
  
- Expenses not covered by this program include: the cost of a casket if cremation is chosen, the cost of an obituary, the cost of a foundation and monument, and the cost of food/catering service.
  
- Banks will sometimes pay funeral, burial or cremation expenses from the deceased's bank account prior to the estate being settled. The person responsible for the funeral arrangements should be asked to submit funeral, burial or cremation invoices to the bank if appropriate prior to accessing this program.

**Schedule B**  
**Application for Financial Assistance -**  
**Funeral, Burial and Cremation Program**

A. Applicant Information:

Last Name:		First Name:	
Telephone:	(h)	(w)	(c)
e-mail:			
Street Address:			
Community:		Postal Code:	
Mailing Address:			

B. Deceased's Information:

Last Name:		First Name:	
Middle Name:		Previous Last Name(s):	
Spouse's name (if applicable):			
Street Address:			
Community:		Postal Code:	
Mailing Address:			
Gender:	Date of Birth:	Date of Death:	
Healthcare Card Number:		Social Insurance Number:	



Source of income:	Average monthly income:
Please provide the name and telephone number of the person responsible for managing the deceased person's finances and/or their estate:	
Current balance of all bank accounts held by the deceased:	
Wages or a government pension payment or other funds owed to the deceased:	
Is the deceased eligible for any public or private benefit, payment or program that assists with funeral, burial and cremation expenses (for example: financial assistance from the band office, the CPP Death Benefit, an insurance payment, an employment benefit, the Last Post Fund, etc.). Please list all such sources of financial assistance:	

C. Monthly Expenses for Next-of-Kin

Rent/Mortgage payment:	Groceries:
Utilities:	Transportation:
Taxes:	Childcare:
Household:	Other:
Loan payment:	
Total Monthly Expenses:	
Expected Significant Expenses in Near Future:	

D. Monthly Income of Next-of-Kin

Source(s) of income:	SIN (if on income support):
Net monthly income from all sources:	
Total Monthly Savings:	
Any expected changes in monthly income in near future? Please specify.	

E. Funeral/Burial/Cremation Plans

Please describe the funeral you have planned as well as an estimate of the cost of burial or cremation:
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I certify that the information provided by me is true and accurate to the best of my knowledge.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

F. Benefit Determination (to be completed by Benefit Administrator)

Applicant eligible for assistance: <i>(Please note if applicant is verified indigent or the means test determined a budget shortfall in the estate and/or for the next of kin.)</i>	[ ] yes [ ] no Details:
Amount approved:	

G. Follow-up required by Benefits Administrator:

Please note follow-up required for cost recovery if applicable: (i.e.: application for CPP Death Benefit, re-imbursement from estate, next-of-kin, etc):	
Date follow-up completed:	