

111TH CONGRESS
1ST SESSION

H. R. 1352

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2009

Mr. POMEROY (for himself, Mr. WILSON of Ohio, Mr. TIM MURPHY of Pennsylvania, Mr. TIBERI, Mr. ROGERS of Michigan, and Mr. GUTHRIE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CERTAIN FUNERAL AND BURIAL ARRANGE-**
4 **MENTS NOT CONSIDERED RESOURCES.**

5 (a) IN GENERAL.—Section 1613(e)(3) of the Social
6 Security Act (42 U.S.C. 1382b(e)(3)) is amended by add-
7 ing at the end the following:

1 “(C) If—

2 “(i) an individual or the individual’s spouse en-
3 ters into an irrevocable contract with a provider of
4 funeral goods and services for a funeral;

5 “(ii) the individual or the individual’s spouse
6 funds the contract by paying for the goods and serv-
7 ices; and

8 “(iii)(I) the funeral provider subsequently
9 places the funds in a trust or in escrow; or

10 “(II) the individual or the individual’s spouse
11 establishes an irrevocable trust, and the funeral pro-
12 vider is the named beneficiary of the trust,

13 then the trust or escrow shall not be considered a resource
14 available to the individual.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply to payments for supplemental
17 security income benefits under title XVI of the Social Se-
18 curity Act for months beginning 90 days or more after
19 the date of the enactment of this Act.

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