

112TH CONGRESS
2D SESSION

H. R. 4176

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 8, 2012

Mr. SOUTHERLAND 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(d) of the Social Se-
6 curity Act (42 U.S.C. 1382b(d)) is amended—

1 (1) in paragraph (2)(B), by inserting “, includ-
2 ing a trust or arrangement described in paragraph
3 (5)” after “irrevocable arrangement”; and

4 (2) by adding at the end the following:

5 “(5) If—

6 “(A) an individual or the individual’s spouse en-
7 ters into an irrevocable contract with a provider of
8 funeral goods and services for a funeral; and

9 “(B) the individual or the individual’s spouse
10 funds the contract by—

11 “(i) prepaying for the goods and services
12 and the funeral provider places the funds in a
13 trust;

14 “(ii) establishing an irrevocable trust fully
15 funding the goods and services and the funeral
16 provider is the named beneficiary of the trust;
17 or

18 “(iii) purchasing a life insurance policy
19 that provides benefits to pay for the goods and
20 services and irrevocably assigning such benefits
21 to—

22 “(I) the funeral provider; or

23 “(II) an irrevocable trust fully fund-
24 ing the goods and services and the funeral

1 provider is the named beneficiary of the
2 trust,
3 then the irrevocable contract and the funding arrangement
4 for the irrevocable contract shall not be considered a re-
5 source available to the individual or the individual's
6 spouse.”.

7 (b) CONFORMING AMENDMENT.—Section
8 1613(e)(3)(B) of such Act (42 U.S.C. 1382b(e)(3)(B)) is
9 amended by striking “In the case of an irrevocable trust
10 established by an individual, if there are any cir-
11 cumstances under which payment from the trust” and in-
12 serting “Except as provided in subsection (d)(5)(B)(ii), if
13 there are any circumstances under which payment from
14 an irrevocable trust established by an individual”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to payments for supplemental secu-
17 rity income benefits under title XVI of the Social Security
18 Act for months beginning on or after the date of enact-
19 ment of this Act.

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