

A RESIDENT OF OUR TOWN DIED AND THE TOWN CLERK RECEIVED A BILL FROM A FUNERAL HOME FOR THE COST OF THE FUNERAL. WHAT IS THE TOWN'S RESPONSIBILITY TO PAY FOR THE FUNERAL?

A town has the responsibility to arrange and pay for the burial of those residents who die within town, who are “without sufficient known assets,” were not housed in a state institution, and did not receive assistance under any of the following programs:

- Title IV or XVI of the Social Security Act;
- nursing home care under Title XIX of the Social Security Act;
- state aid to the aged, blind or disabled; or
- or an honorably discharged veteran of any branch of the U.S. military forces. 33 V.S.A. § 2301 (a).

A town is only responsible for costs associated with a burial that it arranges. It is not responsible for a burial or funeral arranged by the family of the deceased. *Burial* is specifically defined in state law and is not the same as a *funeral*. Burial is defined as “the act of interring the human dead and the ceremonies directly related to that interment at the gravesite.” Burial does not include ceremonies held at a place of worship or funeral home. 33 V.S.A. § 2301 (g).

Internment (not defined in the law) and its costs could include the purchase of a cemetery lot, cemetery charge associated with opening and closing a grave site, transportation of the deceased, casket, religious service at the grave site, and necessary burial permits. Depending on the rules of the cemetery where the individual is buried, it also may include a grave liner. As an alternative to internment, the town might offer or arrange for cremation. These costs may include the actual cost of cremation, alternative container, and cremation certificate. This guidance is from the Vermont Department of Prevention, Assistance, Transition and Health Access' General Assistance Rules for burials arranged or reimbursed by the department. (The department is now known as the Economic Service Division in the Agency of Human Services.)

The Department for Children and Families will reimburse a town up \$250.00 for expenses incurred in a town burial. 33 V.S.A. § 2301 (c). Please check with the department concerning what documentation is necessary for reimbursement.

Stephanie Smith, AICP, Senior Associate, VLCT Municipal Assistance Center

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