



1997 SENATE BILL 325

October 15, 1997 – Introduced by Senator MOEN, cosponsored by Representatives UNDERHEIM, HASENOHRL, KELSO, PLOUFF, SERATTI, LORGE and ALBERS. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

1 **AN ACT to amend** 49.30 (1) (b) and 445.125 (1) (a) 2. of the statutes; **relating to:**
2 the amount of assistance for funeral or burial expenses of recipients under
3 certain benefits and assistance programs and the value of an irrevocable burial
4 trust that is excluded from the resource determination under the medical
5 assistance program.

Analysis by the Legislative Reference Bureau

Under current law, counties, tribal governing bodies and certain organizations are required to pay up to \$1,000 of the funeral or burial expenses that are not paid by the estate of a recipient of any of the following: Wisconsin works benefits, medical assistance, state supplemental payments or federal supplemental security income. This bill increases the payment requirement to up to \$2,000.

Under current law, a person who is 65 years of age or older, blind or disabled is eligible for medical assistance if his or her income and resources are below certain limits. In determining a person's resources, certain assets are excluded. Among the excluded assets is an irrevocable trust used to fund a burial agreement (irrevocable burial trust) with a value of up to \$2,000. Under this bill, an irrevocable burial trust with a value of up to \$3,000 is excluded from the resource determination.

