
TITLE 470 DIVISION OF FAMILY RESOURCES

Proposed Rule
LSA Document #22-142

DIGEST

Adds [470 IAC 15](#) to provide that funeral and cemetery providers must submit the claim to defray funeral and cemetery expenses form, state form 35937, to the Division of Family Resources within 90 days of the date of death of the decedent to obtain reimbursement for funeral and cemetery expenses. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[470 IAC 15](#)

SECTION 1. [470 IAC 15](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 15. FUNERAL AND CEMETERY PROVIDERS

Rule 1. Requirements for Funeral and Cemetery Providers

[470 IAC 15-1-1](#) Processing of claims for reimbursement for funeral and cemetery expenses

Authority: [IC 12-13-5-3](#)

Affected: [IC 5-11-10-1](#); [IC 12-14-17](#)

Sec. 1. (a) In order to receive payment for funeral and cemetery expenses under [IC 12-14-17](#), a provider must submit a claim as required in this section.

(b) A person or entity becomes a provider under this section when the person or entity is duly licensed, registered, or certified by the appropriate professional regulatory agency to provide funeral or cemetery services under state or federal law.

(c) To be eligible for payment, a provider must complete the following:

(1) Inform the Division of Family Resources (DFR) of changes to its contact information through any of the following methods:

- (A) Telephone.
- (B) Facsimile.
- (C) Email.

(2) Have a W-9 form on file with the Family and Social Services Administration (FSSA) accounts payable department.

(3) Ensure that a subsidiary or other entity or person used to provide funeral or cemetery services abides by all provisions of this rule.

(4) Comply with all applicable federal and state laws and regulations.

(5) Submit a claim which is:

- (A) submitted on a completed state form 35937 titled "Claim to Defray Funeral and Cemetery Expenses" which is available on the DFR website at <https://www.in.gov/fssa/dfr/2689.htm>;
- (B) fully completed and accurate;
- (C) submitted within ninety (90) days of the date of death of the decedent;
- (D) signed by the provider;
- (E) dated; and
- (F) certified under [IC 5-11-10-1\(e\)](#).

(d) A provider may be paid for both funeral and cemetery expenses provided that:

- (1) only one (1) claim for funeral expenses will be paid per decedent; and
- (2) only one (1) claim for cemetery expenses will be paid per decedent.

(e) A provider must report to FSSA accounts payable, at claimsInfo@fssa.in.gov, additional monies received that were not reported on the previously submitted claim within ninety (90) days of receipt of the additional monies.

(Division of Family Resources; [470 IAC 15-1-1](#))

[Notice of Public Hearing](#)

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