

14-510-2



COMMUNITY LEGAL SERVICES  
OF PHILADELPHIA

#2655

January 14, 2008

**VIA U.S. MAIL & E-MAIL ATTACHMENT**

Edward J. Zogby, Director  
Bureau of Policy  
Department of Public Welfare  
Room 431, Health and Welfare Building  
Harrisburg, PA 17120

INDEPENDENT REGULATORY  
REVIEW COMMISSION

2008 JAN 18 PM 3:07

RECEIVED

**RE: Comments on Proposed Regulation ID #14-510 (#2655) to  
Increase the Maximum Funeral Assistance Payment**

Dear Mr. Zogby:

Thank you very much for the opportunity to provide comments on the Department of Public Welfare's (DPW's) proposed rulemaking to create a new Chapter 283 in Title 55 Pa. Code to replace Chapter 285 and formally codify a previously published Notice of Rule Change (NORC) (30 Pa.B. 2957).

As you know, Community Legal Services, Inc. (CLS) of Philadelphia provides legal services to low-income Philadelphians who cannot afford legal counsel when they most need it. In the past year alone, CLS has helped over 17,000 Philadelphians with a variety of legal issues. Our Public Benefits Unit represents hundreds of clients each year who receive cash assistance and may be affected by this proposed regulation. We frequently represent clients who suffer losses in their family and are hard pressed to meet the high costs of burial and funeral expenses.

We are most concerned with the proposed regulations at 55 Pa Code §§ 383.21, et seq, to establish the total payment for burial or cremation, or both, at a maximum of \$750, while only exempting the first \$750 in third-party contributions. This amount is severely inadequate to provide for a decent funeral to indigent Pennsylvanians.

According to the National Funeral Directors Association, "the average cost of a funeral, as of July 2004, is \$6,500. That cost includes an outer burial container, but does not include cemetery costs." (See [www.nfda.org](http://www.nfda.org).) The American Association of Retired People (AARP) reports that the average cost of a traditional funeral is "close to \$6,000." (See [www.aarp.org](http://www.aarp.org).)

DPW increased the maximum funeral assistance payment from \$350 to \$750 in 2000. This amount was woefully inadequate at the time. However, since then, the national

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consumer price index (CPI) has increased 22%. In order for the funeral assistance payment to keep up with inflation, it would now need to be \$915.

According to the proposed regulation, the fiscal impact of increasing the funeral assistance payment is estimated to be only \$433,000 in FY 2007-2008. Certainly, DPW can afford to expend more resources to allow indigent Pennsylvanians the dignity of a quality funeral.

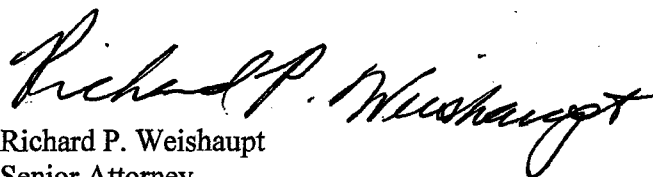
We request that the funeral assistance payment be increased to \$3000, an amount equal to half of the average cost of a traditional funeral while allowing \$3000 in third-party contribution to be disregarded when determining the funeral assistance payment.

If you have any questions, please contact me at 215-981-3707. Thank you very much.

Sincerely yours,



Michael R. Froehlich  
Staff Attorney



Richard P. Weishaupt  
Senior Attorney

CC: Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101