

461-135-0833
Burial Expenses

Effective 1-01-25

- (1) The Department of Human Services has determined that a plain and decent funeral and disposition of the remains of a decedent can be arranged for an average cost of \$6,000. This cost includes all professional services and merchandise. Preparation of the remains will be done in accord with applicable laws and regulations.
- (2) For individuals dying on or after January 1, 2025, where the Department of Human Services is a claimant in their estate and where there would be insufficient assets remaining after any funeral costs to satisfy the Department's claim in full, not more than \$6,000 in estate assets, less any prearranged funeral trust, funds set aside for burial, life insurance policies specifically identified to pay for funeral expenses, or burial insurance, may be expended for funeral expenses and disposition of the remains of the decedent.
- (3) In instances where a pre-paid funeral plan is sought to be changed for a Medicaid client after their death, and pre-paid funeral funds are refunded, it is the responsibility of the funeral home and the recipient(s) of the funds to inform, in writing, the Department of Human Services, Estate Administration Unit, PO Box 14021, Salem, OR 97309-5024, of any refund within 30 days of such action. Any monies refunded after the client has died are an estate asset and subject to the claims of creditors.
- (4) The following items are not considered professional services or merchandise and will not be allowable in meeting the plain and decent funeral standard: Transportation of the remains beyond the state of Oregon; and donations to charities in the decedent's name. The aforementioned costs are not all-inclusive and other similar charges may be denied.

Stat. Auth: ORS [410.070](#), [411.060](#), [411.070](#), [414.106](#)

Statutes/Other Implemented: ORS [411.620](#), [411.630](#), [411.708](#), [411.795](#), [414.105](#), [416.310](#), [416.340](#)

There are no previous rules dated January 1, 2014 or later.

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