

JAN 19 2024

A BILL FOR AN ACT

RELATING TO DEATH BENEFITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii's mortuaries
2 and cemeteries are inadequately compensated for cremating and
3 storing unclaimed human remains on behalf of the State. The
4 department of human services provides death benefits to cover
5 cremation and disposition costs for a deceased person who was
6 eligible for medical or financial assistance at the time of the
7 person's death and whose body is unclaimed. However, the amount
8 is not adequate to cover the mortuary or cemetery's expenses.
9 Currently, the State offers \$800 in reimbursement to cover the
10 costs of transporting, cremating, storing, and handling the
11 final disposition of an unclaimed body. The Hawaii Funeral and
12 Cemetery Association estimates that the average market rate for
13 these services is approximately \$2,400. The rising costs of
14 fuel, labor, and materials make this pay discrepancy
15 unsustainable for the industry. If mortuaries and cemeteries
16 are not more fairly compensated, they may begin to decline the



1 State's request to handle cremations paid through death
2 benefits.

3 Accordingly, the purpose of this Act is to increase from
4 \$800 to \$1,600 the amount of death benefits paid by the
5 department of human services to cover the cremation and
6 disposition costs for a deceased person who was eligible for
7 medical or financial assistance at the time of the person's
8 death and whose body is unclaimed.

9 SECTION 2. Section 346-15, Hawaii Revised Statutes, is
10 amended by amending subsection (b) to read as follows:

11 "(b) All unclaimed dead human bodies shall undergo
12 cremation as defined in section 531B-2. The department may bear
13 the cost of the mortuary, crematory, or hydrolysis facility
14 services for unclaimed dead human bodies furnished by any
15 licensed provider of these services. Payments for these
16 services shall be made to the extent of the cost, or in the sum
17 of [~~\$800~~] \$1,600 in total, whichever is less, for each unclaimed
18 dead human body. Individuals who have possession, charge, or
19 control of any unclaimed dead human body to undergo cremation at
20 public expense shall have sixty days from the date of the
21 deceased's death to submit in writing to the department its



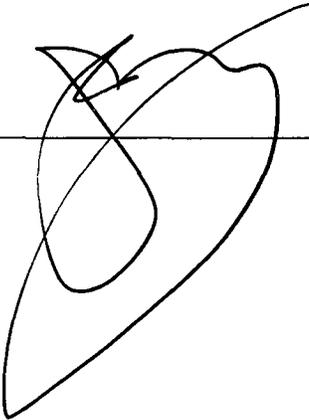
1 determination that the dead human body is unclaimed and its
2 application for payment for cremation. The county medical
3 examiners or coroners shall have no time limitation by which to
4 submit their written determination that the dead human body is
5 unclaimed and their application for payment for cremation."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2024.

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INTRODUCED BY: _____

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S.B. NO. 2851

Report Title:

DHS; Death Benefits; Mortuaries; Cemeteries

Description:

Increases from \$800 to \$1,600 the amount of death benefits paid by the Department of Human Services to cover the cremation and disposition costs for a deceased person who was eligible for medical or financial assistance at the time of the person's death and whose body is unclaimed.

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