

**Reasons for Decision:**

**Order #AP1617-0564**

The appellant appealed on behalf of the appellant's adult child regarding the amount the Employment and Income Assistance Program paid for the adult child's funeral, and the expectation that the funds in the adult child's bank account at the time of death was expected to be used towards basic funeral costs.

The appellant (deceased) passed away on <date removed>. The appellant was in receipt of income assistance benefits, and enrolled in the Community Living with disAbilities Services Program. The appellant resided in a residential care facility. The appellant's income assistance benefits were deposited into a bank account which the appellant's parent had access to in order to meet the appellant's needs that were not provided through the home where the appellant lived.

The Employment and Income Assistance Program provides coverage for funeral expenses in accordance with an agreement with the Manitoba Funeral Services Association. This agreement covers the basic services needed to provide burial for an income assistance recipient. The amount that EIA approved for the cost of the appellant's funeral was <amount removed>. At the time of the appellant's death, there was a bank balance of <amount removed>. There originally had been some confusion as the program had received the balance at the end of <text removed>, which was <amount removed> higher. The Employment and Income Assistance Program deducted the amount of the appellant's financial resources from the amount that they paid, as they indicated that it is in their policy manual that all available financial resources at the time of death are considered available to cover funeral costs.

The appellant's parent stated at the hearing that the parent was appalled by what was covered by the Income Assistance program and used the parent's own funds to upgrade what was covered, in particular the coffin. The parent was counting on using the remaining funds in the appellant's bank account to help cover these additional costs. The parent was accompanied at the hearing by the executive director from the organization that managed the appellant's care. It was the executive director's testimony that the executive director has assisted many families to arrange the funeral for one of their residents who passed away. The executive director stated all of them were on income assistance, and there was never a requirement for the family of the deceased to access the financial resources of the deceased to cover funeral costs. The executive director provided the Board with an information sheet that the executive director was given by EIA about ten years ago, and this information sheet makes no mention of remaining financial resources required to be paid towards funeral expenses. The executive director stated that the executive director also spoke to the appellant's CLDS worker who also used to work for EIA, and the worker indicated that the worker

had never heard of the deceased person's remaining assets being required to go towards funeral costs.

After carefully considering the written and verbal information the Board finds that the Employment and Income Assistance Program has administered the appellant's funeral expenses in accordance with the Employment and Income Assistance Manual Section 23.1.3. which requires that the deceased's assets be considered when determining eligibility for coverage of funeral expenses. This is a policy that applies to all persons in the province of Manitoba who are seeking assistance with the cost of funeral expenses.

The Board must follow the legislation and the policies of the program when reviewing decisions. If errors or past practice have resulted in previous decisions in the <text removed> area that allowed funeral expenses without taking into consideration available resources, then that was done in error and outside the established policies of the program. Therefore the Board has confirmed the decision of the Director.

## **DISCLAIMER**

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