

2013 SENATE POLITICAL SUBDIVISIONS

SB 2254

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee Red River Room, State Capitol

SB 2254
January 31, 2013
18093

Conference Committee

Committee Clerk Signature

Mary Jo Wocken

Explanation or reason for introduction of bill/resolution:

Relating to designated pre-need funeral service contracts

Minutes:

You may make reference to "attached testimony."

Chairman Andrist opened the hearing on SB 2254. All senators were in attendance.

Senator Kelly Armstrong, District. 34; in support of SB 2254. I like the bill because it simple, it changes two words. So from an editing standpoint it works out okay. This bill is simply to get the state Medicaid exemption for funerals to what the state Workforce Safety Insurance (WSI). There is a fiscal note, it's not insignificant and essentially what this does is allows the state Medicaid to match what WSI is currently doing and to make those two things more copasetic and also to allow people of lesser means to still be able to bury their family members with dignity.

Jack McDonald: I am appearing here today on behalf of the North Dakota Funeral Directors Association, in support of this bill. We ask that you give this bill a do pass. It is really a relatively simple concept, in a simple bill. Under state law, there is a specific funeral set aside or funeral exemption from Medicaid assets for a funeral. When you go in to qualify for Medicaid they look at your assets and make a determination of whether you qualify and you can exempt certain assets in different categories. One of the categories is the funeral. Current state law says you can exempt up to \$6,000 for a funeral and that won't count toward an asset toward Medicaid eligibility. There is another exemption that is called a general exemption of \$3,000 and you can use it for anything you want including the funeral. If you took the \$6000 exemption and then some of the \$3,000 you can conceivably have a \$9000 exemption for a funeral. Now realistically, most people do not use all of that \$3000 for a funeral. They use it for some other things too. Then last session this legislative assembly allowed WSI's funeral allowance to go up to \$10,000. What we're asking for today from the funeral directors is to change that \$6000 exemption to a \$7000 exemption. Then combined with the general exemption of \$3000 it would be conceivable at least total \$10,000. Senator Armstrong said it would provide a nice funeral, a dignified funeral for the individuals. The average cost of a funeral in North Dakota varies from community to community, but it is roughly \$10,000 to \$12,000 depending upon what is desired and where you live. Perhaps it is more expensive in Fargo than it might be in Valley City.

We ask that you give this a do pass. We think it is a worthy bill and one that would make a real impact and be a real benefit to North Dakota citizens.

Senator Dotzenrod: The bill is essentially just the one page one side bill. On Line 10, and line 24, you changed the \$6,000 to \$7,000. On line 14, there is a reference to the \$3,000 asset limitation. Is that a number that we determined here in North Dakota or are complying there with that \$3,000? Is that our state's ability here to comply with the federal number?

Jack McDonald responded I know that \$3,000 had been around forever. I am not so sure if that was a figure that was determined on the state level or some other reason. It has been there for a long time.

Chairman Andrist: Help me understand why we've got two different line items that do exactly the same thing? From the \$6,000 to \$7,000 and the \$3,000 stays the same. Why does the language makes a distinction between the two?

Jack McDonald responded the funeral set aside can only be used for a funeral. The \$3,000 shows up in other areas too because that can be used for anything, including the funeral. So that is like a get out of jail pass or something and you can use it for the funeral but the \$6,000 is only for a funeral. If you don't set it aside for the funeral you don't have it.

Mike J. Lerud, funeral director in Valley City and also the President of the North Dakota Funeral Directors Association. See written testimony #1.

Chairman Andrist: Would you say this is a typical funeral or a low end funeral or high end funeral? **Mike Lerud** responded this is a very typical funeral. **Chairman Andrist:** Okay.

Vice-Chair Ron Sorvaag: When you do a pre-paid funeral contract, do you detail all this? Are they just picking them out and lock that in or do they go through it? How do you typically do this?

Mike Lerud replied it can be done either way. Some people are saying I need to put money away for my funeral, or other people are more detail orientated and we try to encourage them to actually pick out and go over everything because that way at the time of need, there is no second guessing as to what they wanted to have done.

Vice Chairman Sorvaag: If somebody just to get an exemption just wanted to give you \$7,000 in a contract with the family that works fine, you just set it all aside? **Mike Lerud** replied yes sir. We have a contract that we fill out with them and on the bottom there is a place where you check merchandise selected or no specific merchandise

Chairman Andrist asked Mike about the person who dies without assets and Social Services, who is going to pay for a funeral? What would a typical funeral benefit be?

Mike Lerud replied if the person is under assistance and dies in Barnes County and has actually no surviving family members, in our county the surviving family members bring in bank statements and tax returns to show that they themselves cannot pay for the loved ones funeral. If there is actually no money there, our agreement with Barnes County is about

\$4460 and it could be a bit higher depending on the purchase of a grave spot or not.

Senator Judy Lee: Nationally, about 60% of the people who die, now the families or the individual has chosen cremation and in North Dakota about 40%? I am not suggesting that we require that obviously some people personally, or their religious denomination may not support that kind of thing. But could you just comment very briefly as I noticed that you do have cremation services on here and what a difference it makes in cost; and whether or not you see in your community an increasing interest in that service?

Mike Lerud responded that is a trend that is changing throughout the whole nation. I know in Montana they are close to 70% cremation rate, Minnesota it's close to 50% and in the Fargo market its 40%, and in our market we are about 22%. So it is changing. (Refer to back side of handout). The Federal Trade Commission requires that we breakout a charge for every service that we offer. (Cremation packet is also listed).

Jack McDonald resumed the podium to add to his testimony. Under state law as well, if you set aside \$6,000 for a funeral and you use the \$3,000 and you set aside more like \$8,000-9,000, and for some reason the funeral did not cost that much, any money set aside or money in a pre-paid contract will go to the state. You can set aside this money in many different ways a IRA, savings account. At the last minute a decision was made to go to a cremation type of thing that Mr. Lerud just mentioned and if you had set aside more than what the funeral cost the excess money will go to the state. It is not something then that the state is out that money.

Senator Anderson requested the Department of Human Services explain the calculations on the fiscal note so that we understand that.

Lawrence Hopkins from the Department of Human Services. The calculation of the fiscal Note is basically when an individual qualifies for Medicaid, any dollar that is set aside and cannot be used for their medical costs will increase our cost to the department. We estimate that about 327 individuals would be affected by this. Assuming that half of that money, that \$1,000 would be used towards medical costs we assume for buying in is \$327,000.

Senator Anderson, when I signed on to this bill you know a \$1000 doesn't seem like much but, when you get to these calculations of numbers you're talking about \$327,000 a year times two, and divide by half for the number of people that might use it, why it adds up always to significant dollars. So you can understand how the federal guys in talking about the whole country, how quickly the numbers add up.

Chairman Andrist closed the hearing on SB 2254.

Senator Judy Lee moved do pass on SB 2254

2nd. Senator Grabinger

6 Yea, 0 No, 0 Absent

Carrier: Senator Judy Lee

FISCAL NOTE
Requested by Legislative Council
01/21/2013

Bill/Resolution No.: SB 2254

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$164,121		\$163,500
Expenditures			\$162,879	\$164,121	\$163,500	\$163,500
Appropriations			\$162,879	\$164,121	\$163,500	\$163,500

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB 2254 increases the pre-need funeral set aside for Medicaid eligible clients from \$6,000 to \$7,000.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of SB 2254 increases the amount allowed to be set aside for pre-need funeral costs. It is estimated that 327 individuals per year will be impacted. Allowing the Medicaid eligible client to set aside additional funds results in Medicaid paying a greater share of medical costs. The Department estimates that only half of the \$1,000 increase will be spent on an individual's care. (327 cases x 2 years x \$1,000 x 1/2)

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The Department will be able to access \$164,121 of federal Medicaid funding for the 2013-2015 biennium and \$163,500 for the 2015-2017 biennium.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Increased expenditures under the Medicaid grant program in the grants line item are expected to be \$327,000 in total, of which \$162,879 are from the general fund for the 2013-2015 biennium. Increased expenditures under the Medicaid grant program in the grants line item are expected to be \$327,000 in total, of which \$163,500 are from the general fund for the 2015-2017 biennium.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Department will need an appropriation increase in the 2013-2015 biennium of \$327,000, of which 162,879 would be general fund. The Department will need an appropriation increase in the 2013-2015 biennium of \$327,000, of which 163,500 would be general fund.

Name: Debra McDermott

Agency: Human Services

Telephone: 701-328-3695

Date Prepared: 01/24/2013

Date: 1-31-2013
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2254

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider

Motion Made By Sen. Judy Lee Seconded By Senator Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist	✓		Senator Jim Dotzenrod	✓	
Vice- Chairman Ronald Sorvaag	✓		Senator John Grabinger	✓	
Senator Judy Lee	✓				
Senator Howard Anderson, Jr.	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Judy Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2254: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2254 was placed on the Eleventh order on the calendar.

2013 SENATE APPROPRIATIONS

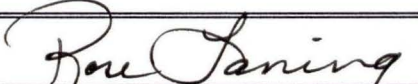
SB 2254

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2254
February 8, 2013
Job # 18571

Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

A bill relating to designated pre-need funeral service contracts

Minutes:

Testimony attached # 1-3

Legislative Council - Adam Mathiak
OMB - Tammy Dolan

Vice Chairman Grindberg opened the hearing on SB 2254. All committee members were present except Chairman Holmberg who went to testify on a bill.

Jack McDonald (Lobbyist # 304) appeared on behalf of the North Dakota Funeral Directors Association, testified in support of SB 2254.

Testimony attached # 1

Vice Chairman Grindberg: I lost my father in December and he was cremated. The funeral bill was \$8000. What happens if the bill is less than \$10,000?

Jack McDonald this bill is only for those on Medicaid assistance. If there is money left over, the money goes back to the state in which it was billed.

Paul Sannes, North Dakota Funeral Director from Linton, testified in favor of SB 2254.

Testimony attached # 2 - General price list

Testimony attached # 3 - Service contract

He explained how a funeral is planned and the costs that are involved.

Senator Carlisle asked if his mother was to be cremated would she need the casket and the vault.

Paul Sannes replied that there is no state law or federal law that requires the use of a casket or burial vault. He added that burial vault restrictions are up to the individual cemetery.

Senator Carlisle asked what the requirements are at the North Dakota Veteran's cemetery.

Paul Sannes said that the veteran's cemetery does require an outer burial container.

Chairman Holmberg resumed chairmanship.

Senator Erbele moved Do Pass on SB 2254.

Senator Mathern seconded the motion.

A roll call vote was taken. Yea: 13 Nay: 0 Absent: 0

The bill goes back to the Political Subdivisions and Senator Judy Lee will carry the bill.

FISCAL NOTE
Requested by Legislative Council
01/21/2013

Bill/Resolution No. SB 2254

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Cities			
School Districts			
Townships			

2 A **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB 2254 increases the pre-need funeral set aside for Medicaid eligible clients from \$6,000 to \$7,000.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of SB 2254 increases the amount allowed to be set aside for pre-need funeral costs. It is estimated that 327 individuals per year will be impacted. Allowing the Medicaid eligible client to set aside additional funds results in Medicaid paying a greater share of medical costs. The Department estimates that only half of the \$1,000 increase will be spent on an individual's care. (327 cases x 2 years x \$1,000 x 1/2)

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The Department will be able to access \$164,121 of federal Medicaid funding for the 2013-2015 biennium and \$163,500 for the 2015-2017 biennium

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

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C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

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Name: Debra McDermott

Agency: Human Services

Telephone: 701-328-3695

Date Prepared: 01/24/2013

Date: 2-8-13

Roll Call Vote # 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2254

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Erbele Seconded By Mathern

Senators	Yes	No	Senator	Yes	No
Chairman Ray Holmberg	✓		Senator Tim Mathern	✓	
Co-Vice Chairman Bill Bowman	✓		Senator David O'Connell	✓	
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele	✓				
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Political Subs Judy Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2254: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2254 was placed on the Eleventh order on the calendar.

2013 HOUSE HUMAN SERVICES

SB 2254

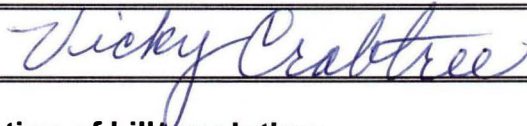
2013 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee Fort Union Room, State Capitol

SB 2254
March 19, 2013
Job #20183

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to designated pre-need funeral service contracts.

Minutes:

See Testimony #1

Chairman Weisz opened the hearing on SB 2254.

Sen. Kelly Armstrong: From District 36 introduced and sponsored the bill. I was asked to introduce this bill by a constituent who I respect. This bill moves the set aside from \$6,000 to \$7,000 for funeral services. It is trying to get it consistent with the WSI portion which will be explained later. Any of this money that is not spent is returned.

1:40

Jack McDonald: On behalf of ND Funeral Directors Association testified in support of the bill. (See Testimony #1)

5:46

Rep. Porter: Where are you getting the \$10,000-\$12000 average funeral cost from? Is it from the association?

McDonald: Yes.

Rep. Porter: Can you provide us with the documentation that backs that up across the state? There is a funeral service in Mandan that lists their traditional service followed by burial at \$3,610 and that includes everything that is their start-up package.

McDonald: The handout you got explains it. I'll let the speaker after me explain that in detail. I think that is the start of the planning and not the total.

Rep. Porter: It says, "removal from place of death, services of funeral director and staff, embalming, casketing, cosmetology and other preparations, use of facility, equipment for visitation and funeral ceremony and coach service, service vehicle to local cemetery, preparation and filing of permits and death certificate. That sounds like a complete deal to me. I want to see how you came up with the \$10,000-\$12,000 average.

McDonald: We solicited from funeral directors around the state to get that amount. We can provide more documentation for you.

Rep. Porter: I'm looking for a statewide average.

McDonald: That is what I gave you. We'll get more information for you.

Oversen: The package that Rep. Porter is referring to is the services portion not including the merchandise which would be marker, casket, cards and programs.

Nick Stevenson: From Dickinson funeral home. The average is \$10,800. (Went through the handout which was attached to testimony #1.)

12:45

Chairman Weisz: Does the local cemetery in Dickinson require a vault?

Stevenson: Yes.

Chairman Weisz: Do you know how many across the state do?

Stevenson: I would say 75-8% of them require vaults. Cemeteries are requiring this because it is less maintenance for them. They are able to pack the soil in tight and have less settling and backfill over the years. (Continued his testimony)

15:20

Rep. Fehr: Does everything on the sheet apply to the \$6,000-\$7000? Or, are there some things here that can't be paid for with this?

Stevenson: We put the funds the family put into this into a CD or a trust that is designed to take care of the items on our end. That would be everything on the left hand column. The third party expenses are there so if they are able to put funds away, the variable is what they choose for the merchandise. If they want to choose merchandise that will allow them funds left over to pay for those cash advance items, it is their discretion to do so.

Rep. Fehr: My question has to do with eligibility for Medicaid medical assistance. I'm assuming there are requirements of things that could be qualified under medical assistance.

McDonald: Under the Medicaid assistance set aside, they can set aside an x amount of dollars and they can use that for their funeral. If they don't use all of the money set aside for the funeral, then the extra money left over would go back to the state.

Rep. Fehr: So if someone wants a \$9,000 funeral, does that include everything here?

Stevenson: Yes we work backwards to tailor to their needs.

Rep. Kiefert: The cemetery charge, does that include the lot?

Stevenson: That is only for the opening and closing. The lot is a separate charge.

20:45

Maggie Anderson: From the DHS. The fiscal note is straightforward. We estimate how many individuals will have pre-need funeral contracts based on our current number of individuals per year that had funeral contracts. That was 327 individuals. We estimated that only half would set aside the additional \$1000 and times that by \$1000 times two years for a biennium. It doesn't increase our costs.

Chairman Weisz: Your fiscal note says, it estimates that only half of the \$1000 increase will be spent on an individual's care. Why does language say on individual care?

Anderson: It is worded differently than how I stated it. Essentially we believe it will only be half of that. We didn't assume (interrupted by Chairman Weisz)

Chairman Weisz: Only half will use the additional \$1,000.

Anderson: Right, so it would go towards their care.

Rep. Laning: How much does Medicaid pay for a funeral?

Anderson: Medicaid pays nothing. It is not a medical service. It would have to fall to the indigent county expense.

Chairman Weisz: Is it about \$1900?

McDonald: The law says the burial has to be at least \$1500. I believe \$3,000 is the high. Stark County is \$1950.

NO OPPOSITION

Chairman Weisz closed the hearing on SB 2254.

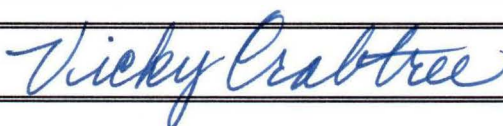
2013 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee Fort Union Room, State Capitol

SB 2254
March 25, 2013
Job #20428

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to designated pre-need funeral service contracts.

Minutes:

Chairman Weisz: Let's look at 2254. It will have to go to appropriations if it gets a do pass.

Rep. Mooney: I move a Do Pass.

Rep. Fehr: Second.

Rep. Laning: It seems to me that there is already \$9,000 worth of funeral costs and almost seems that is enough for a low cost funeral. I don't see the need for getting another \$1,000.

ROLL CALL VOTE: 5 y 8 n 0 absent

MOTION FAILED

Rep. Mooney: You certainly had funeral expenses you have dealt with loved ones and \$9,000 is not too much to ask for an individual. They are only asking to set aside \$7,000 for a funeral. Somebody aluminate me, please.

Chairman Weisz: I experienced one three months ago and the cost was \$9200 and that included everything. I realize it is higher in urban areas. It was a pretty nice funeral.

Rep. Mooney: If all of the money isn't used for the funeral it does go back to the originating fund, correct?

Chairman Weisz: Correct.

Rep. Oversen: We aren't spending any additional state dollars. We are allowing the families to set aside the additional dollars on their own. The state isn't paying more, yet they are claiming they are paying more ahead of time. I support the bill.

House Human Services Committee

SB 2254

March 25, 2013

Page 2

Chairman Weisz: The state will expend more dollars. Not toward the funeral itself, but there would be less of the buy down which is why the fiscal note. The state would be kicking in at an earlier point as far as paying for Medicaid services.

Rep. Looyen: I move a Do Not Pass.

Rep. Silbernagel: Second.

ROLL CALL VOTE: 9 y 4 n 0 absent

MOTION CARRIED ON DO NOT PASS

Bill Carrier: Rep. Damschen

FISCAL NOTE
Requested by Legislative Council
01/21/2013

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Name: Debra McDermott

Agency: Human Services

Telephone: 701-328-3695

Date Prepared: 01/24/2013

Date: 3-25-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2254

House Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Mooney Seconded By Rep. Lehr

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ		✓	REP. MOONEY	✓	✓
VICE-CHAIRMAN HOFSTAD		✓	REP. MUSCHA	✓	✓
REP. ANDERSON		✓	REP. OVERSEN		
REP. DAMSCHEN		✓			
REP. FEHR	✓				
REP. KIEFERT	✓				
REP. LANING		✓			
REP. LOOYSEN		✓			
REP. PORTER		✓			
REP. SILBERNAGEL		✓			

Total (Yes) 5 No 8

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

motion failed

Date: 3-25-13
 Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2254

House Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Looyzen Seconded By Rep. Silbernagel

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ	✓		REP. MOONEY		✓
VICE-CHAIRMAN HOFSTAD	✓		REP. MUSCHA		✓
REP. ANDERSON	✓		REP. OVERSEN		✓
REP. DAMSCHEN	✓				
REP. FEHR	✓				
REP. KIEFERT	✓				
REP. LANING	✓				
REP. LOOYSEN	✓				
REP. PORTER	✓				
REP. SILBERNAGEL	✓				

Total (Yes) 9 No 4

Absent 0

Floor Assignment Rep. Damschen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2254: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2254 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

SB 2254

Charges below apply for those items that are used

A) CHARGES FOR OUR SERVICES SELECTED:

Professional Staff Services for the arrangement, supervision, and for administrative service	\$1,995.00
Embalming*	595.00
Other Care and Preparation of Deceased	200.00

FACILITIES AND EQUIPMENT

a) Use of facilities and equipment for viewing and/or prayer service at Lerud - Schuldt Funeral Home	425.00
b) Use of facilities and equipment for funeral ceremony at Lerud - Schuldt Funeral Home	425.00

OR

a) Use of equipment for viewing and/or prayer service at church or other location	425.00
b) Use of equipment for funeral ceremony at church or other location	425.00

AUTOMOTIVE EQUIPMENT

Transfer of Body to facilities	250.00
Funeral Coach	300.00
Other Automotive	100.00

SUB-TOTAL SERVICES SELECTED \$4,290.00

B) CHARGES FOR MERCHANDISE SELECTED

Casket, other receptacle <i>NO! Granite</i>	2450.00
Outer burial container** <i>Mont. collo</i>	1400.00
Clothing	-NA-
Cremation urn/remains container	-NA-
Flowers <i>(135 + 7.5% Tx)</i>	198.53
Acknowledgement Cards, Register Book and Service Folders	375.00
Additional Printing	-NA-

Tax	-
Lettering of marker <i>(170 x 7.5% Tx)</i>	182.75
Marker/monument	

SUB-TOTAL MERCHANDISES SELECTED 4606.63

* North Dakota law requires embalming only under certain conditions. You do not have to pay for embalming you did not approve if you selected arrangements such as direct cremation or immediate burial.

Reason: NDAC 33-06-15-01 paragraph 2b

** Cemetery may require outer burial container *(VMTL)* Check and initial if required.

*** Crematory may require alternative container () Check and initial if required.

North Dakota law does not require that remains be placed in a casket before or at time of cremation.

C) SPECIAL CHARGES

Forwarding remains	
Receiving remains	
Immediate burial/cremation	

SUB-TOTAL SPECIAL CHARGES -0-

D) CASH ADVANCED ON YOUR BEHALF:

Cemetery Charges <i>Int Fee</i>	50.00
Crematory charges***	-NA-
Transportation (described)	-NA-

Grave opening and closing	600.00
Clergy, Church	200.00
Music <i>(2 @ 100)</i>	200.00
Obituary notices	100.00
Certified copies of death <i>6 ccs</i>	15.00
Hairdresser	-NA-
Groceries	350.00
Donation lunch	200.00
Church janitor	75.00
<i>Record D/C</i>	10.00

SUB-TOTAL, CASH ADVANCE BY THIS FIRM 1800.00

(The difference between the actual and estimated costs will be an adjustment to the Total Amount stated on this Funeral Purchase Record.)

SUMMARY OF CHARGES

A. Services selected	4290.00
B. Merchandise selected	4606.63
C. Special charges	-0-
D. Cash advanced on your behalf	1800.00

TOTAL OF ALL CHARGES

LERUD - SCHULDT FUNERAL HOME, INC.

515 Central Avenue North
Valley City, ND 58072 • 1-701-845-3232
Michael Lerud - Allen Schuldt
Licensed Directors

FUNERAL PURCHASE RECORD STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED

January 30, 20 *13*

Full name of deceased John William Dee
(PLEASE PRINT NAME)

Deceased is Father of person arranging services.
(Give Relationship)

1. Total charges (A) (B) (C) (D)	\$ 10,696.63
2. Additional items ordered later	\$ _____
	\$ _____
	\$ _____
	\$ _____

It is agreed any additional items ordered later shall become a part of this agreement and shall be inserted therein.

TOTAL OF ALL CHARGES \$ 10,696.63

Terms of Payment: (30 days no interest)

Applicable
 Not Applicable

Payment of the total amount is due in full on March 4, 2013 ("due date"). If the total amount is not paid by the due date, a penalty of 1.00% per month (12.00% per annum) for UNANTICIPATED LATE PAYMENT will be charged on the unpaid amount from the due date until the date payment is received to compensate for additional administrative expense and inconvenience. The Purchaser(s) also agree(s) to pay all costs of collection, including reasonable attorney's fees, in the event that payment of the total amount is not made according to Terms of Payment described above.

We agree to provide the service and furnish the merchandise indicated above.

LERUD - SCHULDT FUNERAL HOME, INC.

By [Signature]

I, or we, have read, accept, and approve the terms of this Funeral Purchase Record and do jointly and severally ("separately") promise to make payment according to the Terms of Payment described above. A copy of this Funeral Purchase Record has been given to me.

x John William Dee
(Signature of Purchaser)

(Signature of Purchaser)

Address _____

(Signature of Purchaser)

City _____ State _____ Zip _____

The only warranties, expressed or implied, granted in connection with goods sold are the express written warranties, if any, extended by the manufacturers thereof.

LERUD SCHULDT FUNERAL HOME

515 Central Ave North
Valley City, ND 58072
701-845-3232

GENERAL PRICE LIST

(Prices are effective **October 1, 2012** and are subject to change without notice)

This general price list was prepared to assist you in selecting the type of funeral service that most reflects your desires and wishes. Our staff is available to help you in selecting those options that you feel are necessary in planning a funeral service. The prices included on this list reflect the prices we currently charge for goods and services as well as our current operating costs. It does not include prices for certain items that you may ask us to purchase for you. A complete listing of caskets, vaults and urns offered are available at the funeral home. We believe you will find our competitive prices, coupled with our fine service quite reasonable and our focus on families our number one priority.

1. BASIC SERVICES OF FUNERAL DIRECTOR AND STAFF \$1995.00
Our charge includes consultation with the family or responsible party; staff and facilities to respond to initial request for service; coordinating service plans with cemetery, crematory and/or other parties involved in the final disposition of the deceased; securing official documents and necessary registrations and sheltering of the deceased. This fee is for our basic services and overhead will be added to the total cost of the funeral arrangements you select. This fee is already included in our charges for direct cremation, immediate burials and forwarding/receiving remains.
2. TRANSFER OF DECEASED TO FUNERAL HOME \$250.00
This is the initial transfer of the deceased from the place of death to our funeral home. All charges are based on a 60 mile radius of Valley City. Additional mileage will be billed at \$1.75/loaded mile.
3. EMBALMING \$595.00
Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements, such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement which does not require you to pay for it, such as direct cremation or immediate burial.
4. OTHER PREPARATION OF THE DECEASED \$200.00
This included washing, external disinfection, dressing, cosmetizing, restoration as required, casketing and other professional preparation as required.
5. FACILITIES AND EQUIPMENT
A. Use of facilities and equipment for viewing and/or prayer service at Funeral Home \$425.00
B. Use of facilities and equipment for funeral ceremony at Funeral Home \$425.00

OR

A. Use of equipment for viewing and/or prayer service at church or other location \$425.00
B. Use of equipment for funeral ceremony at church or other location \$425.00
6. FUNERAL COACH \$300.00
7. FUNERAL SEDAN (Lead Car or Flower Delivery Vehicle) \$100.00
- TOTAL STANDARD FUNERAL HOME SERVICE CHARGE (Items 1-7) \$4290.00**
- MEMORIAL PACKAGE USED FOR FUNERAL SERVICE
Register Book \$50.00
Funeral Service Folders (Per 200 – additional \$20.00/100) \$275.00
Acknowledgement Cards/Thank you Cards \$50.00
TOTAL PACKAGE: \$375.00
(Black and White picture included in Service Folder, additional \$25.00)
(Color Picture in Service Folder and all Custom Cards billed per job order)
- CASKETS (A complete List will be provided at the funeral home) \$8500 to \$895.00
- OUTER BURIAL CONTAINERS (A complete list will be proved at the funeral home) \$8000 to \$995.00
- CREMATION URNS (A complete list will be provided at the funeral home) \$3200 to \$250.00
- CREMATION URN VAULTS (A complete list will be provided at the funeral home) \$950.00 to \$350.00

ALTERNATE CREMATION CONTAINER	\$225.00
AIR SHIPPING TRAY	\$400.00
TEMPORARY MARKER	\$50.00
 MEMORIAL SERVICE	 \$695.00
Our charge for a memorial service includes the use of our facilities and/or staff to conduct a memorial service at the funeral home, church or other location.	
BURIAL OF CREMAINS	\$250.00
Includes charge for receiving of cremains, transportation to graveside, opening and closing of grave and temporary marker. (Does not include any cemetery charges or other honorariums.)	
FORWARDING REMAINS TO ANOTHER FUNERAL HOME	\$3040.00
This charge includes removal of deceased, services of funeral director and staff, basic use of facilities, recording vital statistics, securing permits and authorizations, filing and obtaining death certificate and other forms and claims, embalming and other preparation of the body, local transportation but not shipping charges. This service does not include any visitation or funeral services.	
RECEIVING CASKETED REMAINS FROM ANOTHER FUNERAL HOME	\$2670.00
This charge includes transportation to closet air terminal, services of funeral director and staff, basic use of facilities, recording of vital statistics, securing permits and authorizations required, obtaining death certificate and transportation to local cemetery within 30 miles of Valley City. This service does not include any visitation or funeral services.	
DONATION OF REMAINS TO MEDICAL SCIENCE	\$2695.00
This charge included necessary services of funeral director and staff, transfer of deceased to funeral home, embalming, and other preparation of the deceased, temporary shelter of remains and transportation to the University of North Dakota Medical Science Building. No rites or ceremonies are included.	
DISINTERMENTS	\$500.00
Does not include grave opening/closing charges, vault company charges, funeral home mileage or marker removal and re-placement.	
CREMATION PACKAGES	
A. IMMEDIATE CREMATION	\$2670.00
Our charges for direct cremation includes basic services of funeral director and staff, transfer of deceased to funeral home, other preparation of the deceased, alternative container and transportation to crematory in Fargo, ND. This fee does not include crematory fee or the use of facilities or staff for any ceremony or visitation public or private.	
B. CREMATION WITH Burial Service	\$3105.00
This is a cremation with service at graveside or other final place of disposition, and temporary marker. Does not include crematory fee.	
C. CREMATION WITH MEMORIAL SERVICE	\$3695.00
This is a cremation with a memorial service held at our funeral home, church or other place for a service. This includes alternative container, temporary urn and temporary marker, guest register package, 3 hours of visitation and prayer service if desired. DOES NOT INCLUDE CREMATORY FEE.	
D. CREMATION WITH VISITATION/FULL SERVICE	\$6515.00
This package includes our Standard Funeral Home Service Charge, Memorial Package, transportation to Riverside Crematory in Fargo, ND and a Taylor Cremation Casket, a temporary container and temporary marker. This package does not include Crematory Fee. Other caskets may be available, ask director for availability and cost.	
CREMATORY FEE	\$300.00
This is the fee charged by Riverside Crematory in Fargo, ND for the cremation process. This fee will be added to all of the above cremation packages.	

Jack McDonald

SB 2254

2-8-13

#1

Friday, February 08, 2013

SENATE APPROPRIATIONS COMMITTEE
SB 2254

CHAIRMAN HOLMBERG AND COMMITTEE MEMBERS:

My name is Jack McDonald. I appear today on behalf of the North Dakota Funeral Directors Association. We support SB 2254 and ask that you give it a **DO PASS**.

Federal and state law limits the assets an individual may have in order to qualify for Medicaid assistance. These laws also provide certain exemptions; i.e. assets that are not counted in determining eligibility.

One is a general exemption of \$3,000 that can be used for any purposes, including a funeral – per lines 14 and 15.

Another exemption is an amount set aside for a funeral. This currently is \$6,000 – see line 10. For many years this also was just \$3,000. In 2005 it was raised to \$5,000 and in 2009 it was raised to \$6,000. We are now asking that this be increased to \$7,000.

Why do you ask? Well, for several reasons. First, last session you increased the Workforce Safety and Insurance (WSI) funeral allowance to \$10,000. We believe our clients should be allowed to have this same allowance.

Secondly, the average funeral in North Dakota now costs about \$10,000 - \$12,000. This change will at least, on paper, allow our clients the same allowance. As you will hear from others, this is not extravagant.....it is just the right thing to do.

This change will allow more North Dakotans the opportunity to plan a dignified and respectful funeral for their loved ones. After a lifetime of hard work, North Dakotans should be able to get the funeral their family would like them to have. This change will allow more North Dakotans this opportunity.

The additional cost this might cause to Medicaid is negligible compared to the value and comfort brought to family and loved ones. We respect the Department of Human Services, but question whether 327 persons will be added to Medicaid by this change and that all of them will use as many medications as the fiscal note assumes.

You should also note that any of these funds not needed for the funeral will revert to the State – per lines 18-21.

We respectfully ask you give this bill a unanimous DO PASS. If you have any questions, I will be happy to try to answer them.

THANK YOU FOR YOUR TIME AND CONSIDERATION.

Paul Sannes
 SB 2254
 2-8-13

2

FORWARDING REMAINS TO ANOTHER FUNERAL FIRM

This charge includes removal of remains, necessary services of staff, embalming, necessary authorizations, and local transportation, (but not shipping charges). This charge does not include visitation, rites or ceremonies prior to forwarding of the body.

- A. With minimum shipping container..... \$ 1,895
- B. With casket selected from our funeral home \$ 1,700
 (in addition to the cost of the casket)
- C. AirTray \$ 195

RECEIVING OF REMAINS FROM ANOTHER FUNERAL HOME \$ 1,895

This charge includes temporary shelter of remains, transportation of remains to cemetery and necessary services of staff. This charge does not include visitation, rites, or ceremonies.

RECEIVING OF CREMATED REMAINS \$ 395 to \$ 145

IMMEDIATE BURIALS \$ 8,195 to \$ 3,495

Our charge for an immediate burial, without any attendant rites or ceremonies, includes removal and shelter of remains, local transportation to the cemetery, necessary services of staff and authorizations.

- A. Immediate burial with casket provided by purchaser..... \$ 3,495
- B. Immediate burial with alternative container \$ 3,690
- C. Immediate burial with casket selected from our funeral home
 (in addition to cost of casket) \$ 3,495

DIRECT CREMATIONS \$ 5,990 to \$ 3,595

Our charge for a direct cremation without any attendant rites or ceremonies includes removal of remains, necessary services of staff and authorization. If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are heavy cardboard. **(Our price for Direct Cremation includes the crematory charge.)*

- A. Direct cremation with container provided by purchaser..... \$ 3,595
- B. Direct cremation with alternative container..... \$ 3,790
- C. Direct cremation with casket selected from our funeral home
 (in addition to cost of casket) \$ 3,595

Additional charge per hour for staff services and/or use of facilities for partial ceremonies, body donations or other items not included in the above charges \$ 15

GENERAL PRICE LIST

Prices effective December 1, 2012 and subject to change without notice.



Myers Funeral Home

203 SE 2nd St.
 Linton, ND 58552
 (701) 254-5350

www.myersfh.com

This General Price List reflects our commitment to provide consumer information to each family we serve.

The customs and traditions of the funeral or memorial ceremony serve many purposes. We believe that the funeral honors the memory of a life that has been lived. It also acknowledges the reality of death and guides the survivors in the first steps toward the healing of their grief. This is the value of the funeral. We consider it a privilege to serve families during their time of need and appreciate the confidence and trust they have shown in us.

Complete Traditional Service Package \$ 5,095

(Package available only to families who purchase services and merchandise from our Casket Price List)

*Includes basic services of funeral director and staff; embalming; other preparation of body; transfer of remains to the funeral home; use of facilities & staff for visitation at funeral home, church, or other; use of facilities, equipment & staff for funeral ceremony at the funeral home, church, or other; funeral coach; utility vehicle; graveside service; and flower care.

<i>Package Price</i>	<i>If Purchased Separately</i>	<i>Your Savings</i>
\$ 5,095	\$ 5,595	\$ 500

(Package prices do not include casket, outer burial container, flowers, memorial items, honorariums, cemetery expenses, monument and/or marker, any other cash advance items, or any applicable sales tax.)

ITEMIZED SELECTIONS

The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. However, any funeral arrangements you select will include a charge for our basic services and overhead. If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected.

SERVICES OF FUNERAL DIRECTOR AND STAFF \$ 3,095*

Our fee for the services of funeral director and staff includes, but is not limited to, staff to respond to initial request for service; arrangement conference with family or responsible party; arrangement of funeral; preparation and filing of necessary authorizations and permits; recording vital statistics; preparation and placement of obituary notices; staff assistance prior to, during and following the funeral, including coordination with those providing portions of the funeral, e.g. cemetery, crematory and others. Also included in this charge are overhead expenses relative to our facility such as insurance, maintenance and utility expenses, secretarial and administrative costs, and equipment and inventory expenses.

This fee for our basic services and overhead will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.)

EMBALMING \$ 645*

Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements, such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial.

OTHER PREPARATION OF THE BODY

- A. Sanitary care and disinfection, normal cosmetology, dressing and casketing \$ 285*
- B. Care and preparation for cremation \$ 125
- C. Care and preparation for receiving from another funeral home \$ 125
- D. Hairdressing \$ C/A
- E. Special care of autopsied remains \$ 195

USE OF FACILITIES

- A. Shelter of Remains (per day) \$ 75
(This charge is made after the 5th day that our facilities are used to shelter the remains.)
- B. Use of facilities and staff services for visitation (per day) \$ 395*
(Our services include set-up of visitation area, placement of encased remains, display of floral arrangements, supervision of and attendance during the visitation at funeral home, church or other.)
- C. Use of facilities and staff services for funeral service or additional staff necessary for service in other facility \$ 500*
(Our services include coordinating the funeral arrangements, supervision of funeral and staff to attend funeral ceremony at funeral home, church, or other.)

- D. Use of facilities and staff services for memorial service (without body) \$ 500
(Our services include coordinating the memorial service arrangements, supervision of the memorial service, and staff to attend the service at funeral home, church, or other.)
- E. Equipment and staff services for graveside services \$ 395
(Our services include accompaniment of remains to cemetery, supervision of graveside service, and staff to attend service.)
- F. Refrigeration charge for un-embalmed remains (in addition to charge referred to in subsection "A") per day \$ C/A
- G. Saturday & Evening Service Fee \$ 150
Sunday & Holiday Service Fee \$ 250

TRANSFER OF REMAINS TO FUNERAL HOME \$ 300*

(Within 60 mile local service radius)
Additional miles outside local service radius (loaded mile) \$ 2.50 per mile

AUTOMOTIVE EQUIPMENT (Add \$2.50 for each mile outside 60 mile local service radius.)

- A. Casket coach (hearse) \$ 300*
- B. Funeral Sedan \$ 75
- C. Utility vehicle \$ 75*
- D. Funeral limousine \$ N/A

CASKETS \$ 3,695 to \$ 1,095 A complete price list will be provided at the funeral home.

OUTER BURIAL CONTAINERS \$ 9,000 to \$ 1,295 A complete price list will be provided at the funeral home.

URNS \$ 3,700 to \$ 95

URN VAULTS \$ 1,195 to \$ 450

MARKERS & MONUMENTS \$ 5,000 to \$ 895

MEMORIAL MERCHANDISE

- A. Memorial Register Books \$ 35 to \$ 200
- B. Acknowledgement Cards \$ 35
- C. Service Folders (*Price is for 200 minimum order*) \$ 125 to \$ 395
- D. Cross/Crucifix \$ N/C

Myers Funeral Home

P.O. Box 697
Linton, ND 58552
(701) 254-5350

SB 2254

Paul Sannes
2-8-13

#3

No. EXAMPLE

Name of Deceased JOHN SMITH
Date of Death FEB. 8, 2013 Age 99
Deceased is FATHER of Person Arranging Services
(Relationship)

FUNERAL PURCHASE AGREEMENT

Charges are only for those items you selected or that are required. If we are required by law or by a cemetery or crematory to use any items we will explain the reasons in writing below.

A. CHARGES FOR SERVICES SELECTED:

SERVICES OF FUNERAL DIRECTOR & STAFF \$ 3095.00

Our fee for the services of funeral director and staff includes, but is not limited to, staff to respond to initial request for service; arrangement conference with family or responsible party; arrangement of funeral; preparation and filing of necessary authorizations and permits; recording vital statistics; preparation and place of obituary notices; staff assistance prior to, during and following the funeral, including coordination with those providing other portions of the funeral, e.g. cemetery, crematory and others.

The funeral home has also incorporated into the above fee a basic facilities charge of \$ 2095.00, which is a proportional charge used to meet overhead expenses such as professional licensing, legal and accounting fees, insurance, building and utility expenses, including grounds, maintenance, taxes, equipment, furnishings, and inventory costs, recordkeeping, and secretarial administrative expenses.

EMBALMING \$ 645.00

If you selected a funeral that may require embalming such as a funeral that you may have to pay for embalming. You do not have to pay for embalming. We will not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming, we will explain why below.

Reason for embalming viewing/visitation

OTHER PREPARATION OF THE BODY \$ 285.00

Sanitary Care; Cosmetic Work; Dressing and Placement in Casket
OTHER

FACILITIES AND RELATED STAFF CHARGES:

Shelter of Remains \$

Visitation or Viewing at Facility or Other Location and Staff Services \$ 395.00

Funeral at Facility or Other Location and Staff Services \$ Inc

Memorial Service at Facility or Other Location and Staff Services \$

Graveside Equipment and Staff Services \$

Refrigeration of Unembalmed Remains \$

AUTOMOTIVE EQUIPMENT:

Transfer of Remains to Funeral Home \$ 300.00

Within 60 Mile Radius

Casket Coach (Hearse) \$ 300.00

Funeral Sedan \$

Utility Vehicle 2 VANS \$ 75.00

Other \$

Sub-Total of Services Selected \$ 5095.00

B. CHARGES FOR MERCHANDISE SELECTED:

Casket, or Other Container \$ 1495.00

MFG/Model GEMINI COPPER

Outer Burial Container or Interment Container \$ 1195.00

Name/MFG CONC. BOX VAULT

Announcement Cards \$ 35.00

Folders and Printing \$ 200.00

Book \$ 75.00

Clothing \$

Cremation Urn \$

Additional Transportation \$

Other \$

Sales Tax \$

Sub-Total of Merchandise Selected \$ 3500.00

TERMS OF PAYMENT:

Payment of the TOTAL PURCHASE PRICE of this Agreement shall be paid as follows:

First, the amount shown as the "Sub-Total of Cash Advances Made" shall be paid upon signing this Agreement, or prior to the funeral service; and Second the remaining balance shall be paid by the 9 day of MARCH, 2013.

Any balance remaining unpaid after the 9 day of MARCH.

C. SPECIAL CHARGES:

FORWARDING OF REMAINS TO ANOTHER FUNERAL HOME ... \$

This charge includes removal of remains, necessary services of staff, embalming, necessary authorizations, and local transportation (but not shipping charges). This charge does not include visitation, rites, or ceremonies prior to forwarding of the body.

RECEIVING OF REMAINS FROM ANOTHER FUNERAL HOME ... \$

This charge includes temporary shelter of remains, transportation of remains to cemetery and necessary services of staff. This charge does not include visitation, rites, or ceremonies.

DIRECT CREMATION \$

Our charge for a direct cremation without any attendant rites or ceremonies includes removal of remains, local transportation to crematory, necessary services of staff and authorization.

IMMEDIATE BURIAL \$

Our charge for an immediate burial, without any attendant rites or ceremonies, includes removal and shelter of remains, local transportation to the cemetery, necessary services of staff and authorization.

Sub-Total of Special Charges \$

D. CASH ADVANCES MADE ON YOUR BEHALF:

(Cash Advances to be paid at time of Arrangements)

Cemetery Charges OPEN/CLOSE GRAVE \$ 550.00

Crematory Charges \$

Common Carrier Transportation (Air or Rail) \$

Clergy Honorarium PASTOR \$ 100.00

Musician's Honorarium SOLOIST \$ 75.00

Vocalist's Honorarium ORGANIST \$ 100.00

Tent \$

Vault Set-Up \$

Obituary Notices (Newspapers/Radio) OBITUARY \$ 200.00

(LOCAL 50.00) (BIS 150.00) \$

Certified Copies of Death Certificate (6) \$ 15.00

Additional Printing Charges \$

Hairstylists, Beautician, or Barber \$

Motor Escort or Police Escort \$

Flowers and Tax CASKET SPRAY \$ 175.00

Limousine \$

Telephone or Telegraph \$

Cemetery Sexton Fee \$

Cemetery Maintenance Fee LUNCH - GROUP SERV. \$ 100.00

Other Cash Advances LUNCH - FOOD \$ 200.00

We Charge you for our service in obtaining: \$

burial permit \$ 10.00

Sub-Total of Cash Advances Made \$ 1525.00

SUMMARY OF CHARGES:

A. Services \$ 5095.00

B. Merchandise \$ 3500.00

C. Special Charges \$

D. Cash Advances \$ 1525.00

SUB-TOTAL -- A, B, C, D \$ 10,120.00

Other Items Ordered Later

DATE OF DEATH ON SIGN \$ 200.00

TOTAL PURCHASE PRICE \$

AMOUNT PAID AT TIME OF ARRANGEMENT \$

BALANCE DUE \$ 10,320.00

If they have to pay for embalming, you do not have to pay for embalming. We will not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming, we will explain why below.
Reason for embalming viewing/visitation

OTHER PREPARATION OF THE BODY \$ 285.00
Sanitary Care; Cosmetic Work; Dressing and Placement in Casket
OTHER \$
FACILITIES AND RELATED STAFF CHARGES:
Shelter of Remains \$
Visitation or Viewing at Facility or Other Location and Staff Services \$ 395.00
Funeral at Facility or Other Location and Staff Services \$ Inc
Memorial Service at Facility or Other Location and Staff Services \$
Graveside Equipment and Staff Services \$
Refrigeration of Unembalmed Remains \$
AUTOMOTIVE EQUIPMENT:
Transfer of Remains to Funeral Home \$ 300.00
Within 60 Mile Radius
Casket Coach (Hearse) \$ 300.00
Funeral Sedan \$
Utility Vehicle 2 VANS \$ 25.00
Other \$
Sub-Total of Services Selected \$ 5095.00

B. CHARGES FOR MERCHANDISE SELECTED:
Casket, or Other Container \$ 1495.00
MFG/Model GEMINI CASKET
Outer Burial Container or Interment Container \$ 1195.00
Name/MFG CONC. BOX - VAULT
Acknowledgment Cards \$ 35.00
Folders and Printing \$ 200.00
Book \$ 75.00
Clothing \$
Cremation Urn \$
Additional Transportation \$
Other \$
Sales Tax \$
Sub-Total of Merchandise Selected \$ 3500.00

TERMS OF PAYMENT:
Payment of the TOTAL PURCHASE PRICE of this Agreement shall be paid as follows:
First, the amount shown as the "Sub-Total of Cash Advances Made" shall be paid upon signing this Agreement, or prior to the funeral service; and Second the remaining balance shall be paid by the 9 day of MARCH, 2013.
Any balance remaining unpaid after the 9 day of MARCH, 2013, will be charged an Unanticipated Late Payment Charge at the rate of 12% per month (144% per year) from the due date until the date that payment is received to compensate for additional administrative expense and inconvenience. The Purchaser(s) also agree(s) to pay all costs of collection, including reasonable attorneys' fees, in the event that payment of the TOTAL PURCHASE PRICE is not made according to the terms of payment described above.

**Cemetery may require outer burial container. Check & initial if required PS
***Crematory may require alternative container. Check & initial if required

THIS FUNERAL HOME MAKES NO WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY, EXPRESSED OR IMPLIED, WRITTEN OR ORAL. THE ONLY WARRANTIES AVAILABLE IN CONNECTION WITH THE GOODS SOLD WITH THIS FUNERAL ARE THE EXPRESS WRITTEN WARRANTIES, MADE BY THE MANUFACTURER THEREOF.

This form is in compliance with applicable Federal and State regulations.
The purchaser(s) hereby attest(s) to the following: (1) I/We authorized embalming of the above named deceased. (2) I/We were shown a Casket Price List and an Outer Burial Container Price List before the showing of caskets and outer burial containers. (3) I/We were given/offered for retention a General Price List upon the beginning of discussion of funeral arrangements and/or selection of services and merchandise. PS Initials

ceremonies, includes removal and shelter of remains, local transportation to the cemetery, necessary services of staff and authorization.
Sub-Total of Special Charges \$

D. CASH ADVANCES MADE ON YOUR BEHALF:
(Cash Advances to be paid at time of Arrangements)
Cemetery Charges OPEN/CLOSE GRAVE \$ 550.00
Crematory Charges \$
Common Carrier Transportation (Air or Rail) \$
Clergy Honorarium PASTOR \$ 1000.00
Musician's Honorarium SOLOIST \$ 75.00
Vocalist's Honorarium CDLANGE \$ 100.00
Tent \$
Vault Set-Up \$
Obituary Notices (Newspapers/Radio) OBITUARY (LOCAL 5000) (BISMARCK 15000) \$ 200.00
Certified Copies of Death Certificate (6) \$ 15.00
Additional Printing Charges \$
Hairstylists, Beautician, or Barber \$
Motor Escort or Police Escort \$
Flowers and Tax CASKET SPRAY \$ 175.00
Limousine \$
Telephone or Telegraph \$
Cemetery Sexton Fee \$
Cemetery Maintenance Fee LUNCH - GRAVE SERV. \$ 1000.00
Other Cash Advances LUNCH - FOOD \$ 200.00
We Charge you for our service in obtaining:
burial permit \$ 10.00
Sub-Total of Cash Advances Made \$ 1525.00

SUMMARY OF CHARGES:
A. Services \$ 5095.00
B. Merchandise \$ 3500.00
C. Special Charges \$
D. Cash Advances \$ 1525.00
SUB-TOTAL -- A, B, C, D \$ 10,120.00
Other Items Ordered Later
DATE OF DEATH ON STONE \$ 200.00
TOTAL PURCHASE PRICE \$
AMOUNT PAID AT TIME OF ARRANGEMENT \$
BALANCE DUE \$ 10,320.00

We agree to provide the services and furnish the merchandise described and purchased under all the terms of this AGREEMENT.
Signature of Funeral Director Paul Adam
I, or we have read, accept and approve same, and jointly and severally promise to make full payment thereto. Receipt of a copy of this AGREEMENT is acknowledged. It is agreed that any additional items ordered later will become part of the total charges of this Agreement.
Signature of Purchaser PAITY JONES Date _____
Printed Name of Purchaser
1234 CAPITAL WAY
Address BISMARCK, N.D. 58552
City, State & Zip Code
1-701-223-1234
Home Phone# _____ Work Phone # _____
Place of Employment N/A S.S. Number _____
Co-Purchaser _____

Tuesday, March 19, 2013

HOUSE HUMAN SERVICES COMMITTEE
SB 2254

CHAIRMAN WEISZ AND COMMITTEE MEMBERS:

My name is Jack McDonald. I appear today on behalf of the North Dakota Funeral Directors Association. We support SB 2254 and ask that you give it a **DO PASS**.

Federal and state law limits the assets an individual may have in order to qualify for Medicaid assistance. These laws also provide certain exemptions; i.e. assets that are not counted in determining eligibility.

One is a general exemption of \$3,000 that can be used for any purposes, including a funeral – per lines 14 and 15.

Another exemption is an amount set aside for a funeral. This currently is \$6,000 – see line 10. For many years this also was just \$3,000. In 2005 it was raised to \$5,000 and in 2009 it was raised to \$6,000. We are now asking that this be increased to \$7,000.

Why do you ask? Well, for several reasons. First, last session you increased the Workforce Safety and Insurance (WSI) funeral allowance to \$10,000. We believe our clients should be allowed to have this same allowance.

Secondly, the average funeral in North Dakota now costs about \$10,000 - \$12,000. This change will at least, on paper, allow our clients the same allowance. As you will hear from others, this is not extravagant....it is just the right thing to do.

This change will allow more North Dakotans the opportunity to plan a dignified and respectful funeral for their loved ones. After a lifetime of hard work, North Dakotans should be able to get the funeral their family would like them to have. This change will allow more North Dakotans this opportunity.

The additional cost this might cause to Medicaid is negligible compared to the value and comfort brought to family and loved ones. The Department of Human Services will give you a fiscal note. We respect the department's figures, but remind you that they are only its best estimate of what might be the fiscal impact.

You should also note that any of these funds not needed for the funeral will revert to the State – per lines 18-21.

We respectfully ask you give this bill a unanimous DO PASS. If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.



Stevenson Funeral Home

45 4th Avenue West
Dickinson, ND 58601
(701) 483-7900

No. 2013-058

DECEASED _____
DATE OF DEATH March 15, 2013
DATE OF STATEMENT March 15, 2013

A. CHARGE FOR SERVICES SELECTED

1. Professional Services:

Services of Funeral Director & Staff	\$ 1,491.00
Embalming	\$ 495.00
Cosmetising, Dressing, Casketing	\$ 165.00

2. Facilities, Equipment & Staff:

Visitation and Family Viewing	\$ 285.00
Committal / Graveside Service	\$ 295.00
Equipment & Staff for Funeral Service	\$ 750.00

3. Transportation:

Hearse	\$ 275.00
Transfer of Remains	\$ 315.00
Service / Utility Vehicle	\$ 75.00

TOTAL OF SERVICES SELECTED \$ 4,146.00

B. CHARGE FOR MERCHANDISE SELECTED

Casket Sentinal	\$ 2,465.00
Vault STARK	\$ 1,195.00

Acknowledgement Cards	\$ 40.00
Register Book	\$ 60.00
Memorial Folders - 200	\$ 275.00
Temporary Marker	\$ 48.00
Additional Memorial Folders \$1 per	\$ 0.00

TOTAL OF MERCHANDISE SELECTED \$ 4,083.00

C. SPECIAL CHARGES

TOTAL OF SPECIAL CHARGES _____
TOTAL OF FUNERAL HOME CHARGES \$8,229.00

ACCEPTANCE This funeral establishment agrees to provide all services, merchandise and cash advances indicated on this Statement.

By _____

STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED

Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain the reasons in writing below. If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming you did not approve if you selected arrangements such as direct cremation or immediate burial. If we charged for embalming, we will explain why below.

D. CASH ADVANCES

All cash advances must be paid in full within 1 week of signed contract or a 5% service charge will be applied to the cash advance total

Cemetery Charges / Opening and Closing	\$ 750.00
Death Certificates x 12	\$ 27.00
News Media Bismarck Tribune	\$ 197.50
News Media Glen Ullin	\$ 12.00
Clergy Honorarium Pastor Bill Bradley	\$ 150.00
Music Honorarium Kim Kobilansky	\$ 75.00
Lunch Sacred Heart Rental Fee	\$ 200.00
Lunch Servers	\$ 150.00
Flowers	\$ 213.00
News Media Hebron	\$ 10.00
Burial Permit Fee Morton County	\$ 10.00
Lunch Potato Salad BerniceKinnischtzke	\$ 80.00
Lunch Super Valu	\$ 746.25
Hair Stylist	\$ 35.00
Deacon Honorarium Sherril Ungerecht	\$ 75.00

TOTAL OF CASH ADVANCES \$ 2,730.75

SUMMARY

Total Funeral Home Charges	\$ 8,229.00
State Sales Tax (if applicable)	\$ 0.00
Total Cash Advances	\$ 2,730.75
GRAND TOTAL	\$ 10,959.75
Less Payments & Adjustments	\$ 0.00

BALANCE DUE \$ 10,959.75

Billing To: _____

DISCLOSURES

Reason for Embalming _____
Required for Visitation _____

If any law, cemetery or crematory requirements have required the purchase of any items listed, the law or requirement is explained below.

Cemetery Requirement

ACKNOWLEDGEMENT AND AGREEMENT

I hereby acknowledge that I have the legal right to arrange the final services for the deceased, and I authorize this funeral establishment to perform services, furnish goods and incur outside charges specified on this Statement. I acknowledge that I have received the General Casket and Outer Burial Container Price List.

Payment Terms:

Full payment is due no later than April 14, 2013. If any payment is not paid when due, an unanticipated LATE CHARGE of 1.50% per month (ANNUAL PERCENTAGE RATE 18.00%) on the unpaid balance will be due. I agree to pay the Balance Due listed on this statement plus any late charge. In the event I default in payment to this funeral establishment, I agree to pay reasonable attorney's fees and court costs in addition to any late charge applicable. I understand and agree that I am assuming personal liability imposed by law upon the estate of the deceased. By my signature below, I hereby agree to all of the above and to receipt of a copy of this statement.

X _____
Signed Dated

X _____
Signed Dated