**Section 117.54 Claims for Reimbursement**

a) The Department will not reimburse funeral or burial expenses paid by a legally responsible relative(s).

b) Any person, other than a legally responsible relative, who has voluntarily assumed responsibility for a recipient's funeral/burial expenses and has paid all or a portion of such expenses in an amount equal to or greater than the amount of the claim for reimbursement may be reimbursed for the actual costs, or the Department's maximum allowable amounts, whichever is less, after deduction of:

1) The decedent's assets and available resources including any available death benefits.

2) Amounts paid and/or arranged to be paid by a decedent's legally responsible relative.

3) Proceeds of life insurance on the decedent payable to, or received by the claimant as the beneficiary of the insurance.

c) All funeral and burial expenses for which reimbursement is requested are to be included in one claim.

d) Eligibility for payment of funeral/burial expenses is effective from the first day for which medical eligibility is established and continues to the last day of the month in which cancellation is effective.

e) Funeral/burial claims for an individual who is an in-patient in a Department of Mental Health and Developmental Disabled (DMHDD) facility, or is a DMHDD in-patient temporarily discharged and in a community hospital at the time of death, or is a DMHDD in-patient who is on a home visit for a brief period of time (less than two weeks) shall not be paid by the Department.

(Source: Amended at 18 Ill. Reg. 7403, effective April 29, 1994)