

Amendment No. 1 to HB3549

Harwell
Signature of Sponsor

AMEND Senate Bill No. 3410

House Bill No. 3549*

By deleting the language "indigent fund" in subdivision (h)(2) wherever it appears and by substituting instead the language "indigent burial fund".

AND FURTHER AMEND by deleting all language in subsection (h)(3) in its entirety and by substituting instead the following:

(h)

(3)

(A)

(1) An indigent burial fund shall be established for the purpose of reimbursing funeral homes that provide funeral services to Tennessee residents who are indigent.

(2) Funds shall only be expended for a person who was receiving state financial assistance on the date such indigent person died.

(3) All funds in excess of two million five hundred thousand dollars (\$2,500,000) shall not revert to the general fund of the state, but shall remain available to be allocated and used solely for such indigent funerals provided by funeral homes.

(4) Interest accruing on investments and deposits of the fund shall be credited to such account, shall not revert to the general fund, and shall be carried forward into each subsequent fiscal year.

(5) Moneys in the fund shall be invested in accordance with § 9-4-603.

(6) The amount of reimbursement shall be based on available funds in the indigent burial fund at the time a request for reimbursement is filed by a funeral home.

(B) A funeral home which provides funeral services to those Tennessee residents who are indigent may file an application with the commissioner, in a manner established by the commissioner, requesting reimbursement from the indigent burial fund for amounts expended by the funeral home in providing such services. The funeral home shall be required to file documentation verifying that the expenses were for providing such services and for no other purposes.

(C) In accordance with the commissioner's rule making authority pursuant to § 62-5-413(b), the commissioner shall promulgate rules defining indigency for purposes of eligibility for reimbursement, setting a maximum amount for reimbursement per burial, the manner in which claims shall be submitted and paid, and any other rules necessary for the proper administration of this program.

AND FURTHER AMEND by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. For purposes of rulemaking, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2010, the public welfare requiring it.