

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL  
BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of )  
 )  
U T ) OAH No. 17-0875-GRE  
 ) Agency No.  
\_\_\_\_\_ )

**DECISION**

**I. Introduction**

N T filed an application for General Relief Assistance to pay for funeral services for her sister, U T. The Division of Public Assistance denied that application because the services were already paid for. Ms. T requested a hearing to challenge that denial. Based on the evidence in the record, the division's determination is upheld.

**II. Facts<sup>1</sup>**

U T passed away at No Name Medical Center on July 1, 2017. After U's death, her sister N T flew to Anchorage to arrange to have U's remains returned to Town A. The hospital gave N a pamphlet with a list of funeral homes, and she selected the first one on the list. People from the funeral home met N at the hospital, and transported U's body to the funeral home. But the funeral home required N to pay before they would take U's body. Because this happened over the weekend, because N was not familiar with Anchorage, and because N did not know what benefits or services were available to her, N used her savings to pay for the funeral home expenses.

On July 6, 2017, N applied for General Relief Assistance, seeking reimbursement for the money she paid for U's funeral expenses. The division interviewed N on July 11, 2017. N reported U's services had already been paid for. Based on that information, the division denied the application, reasoning that there was no specific and immediate need as the services were already paid. The division did not review the application for income eligibility.

On August 11, 2017, N submitted a written request for a fair hearing. N argued that at the time that she was required to pay for the funeral home expenses, she did not know how the GRA program worked. At the hearing, N explained that she knew U received public assistance and assumed that she could apply for reimbursement to cover the funeral expenses. Her primary

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<sup>1</sup> There are no material facts in dispute. This statement of facts is based on Ms. T's testimony and the documents in the record.

goal was just to get U’s remains home to Town A, and she just did what she had to do in the stressful moment. And now she is suffering financial hardship because she needed the money in her savings account to pay her car payment and property taxes.

### III. Discussion

General Relief Assistance is available to pay for the costs associated with funeral services and cremation or burial.<sup>2</sup> Eligibility for this benefit is based on several factors including, “immediate and specific need for subsistence items such as rent, food, fuel, transportation, or burial.”<sup>3</sup> The sole reason the division denied the application here was because “services have already been paid for.”<sup>4</sup>

At the hearing, the division explained that the goal of the program is to ensure that burial occurs promptly and immediately, and with the service already paid for, there was no specific or immediate need. The division argued that it can only pay vendors—not individuals.

Under 7 AAC 47.130(a), the division “will pay general relief assistance *to a vendor* for basic funeral and burial expenses . . .”<sup>5</sup> Under 7 AAC 47.110, “General Relief payments for . . . funeral and burial expenses . . . may be made *only to the vendor or provider and not to the recipient of assistance.*”<sup>6</sup> A vendor is “an individual or business that provides funeral and burial services.”<sup>7</sup> Because N paid the funeral expenses, and because the regulations do not allow for reimbursement, the division’s denial of the GRA application is upheld.

### IV. Conclusion

N T paid for her sister, U T’s funeral expenses. And the GRA regulations do not allow for reimbursement to an individual. Accordingly, the division’s determination to deny benefits on this basis is upheld.

Dated: September 27, 2017

Signed  
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Jessica L. Srader  
Administrative Law Judge

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<sup>2</sup> 7 AAC 47.130.

<sup>3</sup> 7 AAC 47.140.

<sup>4</sup> Ex. 3.

<sup>5</sup> 7 AAC 47.130 (emphasis added); *see* Ex. 6.

<sup>6</sup> 7 AAC 47.110 (emphasis added).

<sup>7</sup> General Relief Assistance Manual 240-3, Ex. 9.

## Adoption

The undersigned, by delegation from the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 17<sup>th</sup> day of October, 2017.

By: *Signed* \_\_\_\_\_  
Name: Jessica L. Srader  
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication.]