

Denver Human Services – Burial Assistance Program

Programmatic Requirements for Providers

The Denver Department of Human Services administers a Burial Assistance Program to provide a payment, as defined by state law and regulation, to the provider of funeral or final disposition services. These programmatic requirements are put in place to allow DHS to effectively manage the program in a fiscally responsible and equitable manner. It also sets expectations for providers who wish to provide burial services and receive payments, when allowed.

The purpose of this program is:

- (a) To provide appropriate and equitable payment of funeral, cremation, burial, or natural reduction expenses or any combination of expenses associated with the final disposition of any deceased public assistance or medical assistance recipient.
- (b) To consider the religious and cultural preferences of the decedent and the decedent's family.
- (c) To assure that final disposition of a decedent is provided with dignity.
- (d) To ensure that payment to a provider of funeral or final disposition services is appropriately disbursed by the county department.
- (e) To provide that public funds are made available for payment pursuant to this section only after it has been determined that there are insufficient resources from the estate of the decedent or the decedent's legally responsible family members to cover the funeral or final disposition expenses.
- (f) To allow family members and friends of a decedent to contribute toward the charges of funeral or final disposition expenses to the extent the contributions do not exceed the specified maximum combined charges for the expenses.

Applicable Law:

C.R.S.A. § 26-2-129 Effective: September 7, 2021, Funeral--final disposition expenses-death reimbursement--definitions—rules

Code of Colorado Regulations Volume 3 9 CCR 2503-5 Adult Financial Assistance

3.570.4 Burial Assistance Program

3.570.41 Purpose of Program

3.570.42 Definitions

3.570.43 Eligibility and Determination for Burial Assistance

Programmatic Requirements for Providers:

- A. In order to participate as a provider of services and receive payment under this program, a provider is required to submit all required documentation of combined charges covering reasonable funeral expenses, or reasonable final disposition expenses, or any combination of these expenses, as set forth in law and regulation, to DHS.
- B. Providers must exhibit transparency in providing a complete accounting for all charges related to all burial services provided to the decedent. This will assist DHS in determining whether or not the application for benefit qualifies for a payment and specifically to demonstrate those burial services do not include charges exceeding the current maximum combined charges allowed by law.
- C. Providers are required to provide requested documentation to DHS in a timely manner, which is within 30 (thirty) calendar days or less from the date of request from DHS. Failure to timely provide documentation may be waived by DHS on a case-by-case basis, otherwise DHS may deny the application and may bar the provider from further participation in the program.
- D. Burial services, and charges considered therefore in assessing the application for benefit, include:
 - 1. “Burial services” are broad and comprehensive meaning those combined services from all providers which are provided as part of funeral, burial, or cremation services, for a qualified decedent, including:
 - a. Transportation of the body from the place of death to a funeral home or other storage facility, and/or from the funeral home to the funeral/memorial site, and/or to the burial plot.
 - b. Storage of the body prior to final disposition and/or storage of the cremated remains for no more than one hundred twenty (120) days, in those cases where the remains are not buried and are not claimed by the client's family or friends.
 - c. Embalming, where necessary for preservation of the body and/or preparation of the body for the casket or for cremation.
 - d. Purchase of a casket or of an urn or other receptacle for the cremated remains.
 - e. Purchase of a gravesite, vault, vault liner, or crematorium niche.
 - f. Purchase and placement of the grave marker and/or of perpetual care of the gravesite, vault, or crematorium niche.
 - g. Funeral or memorial service.
 - h. Cremation of the body.
 - i. Burial or interment of the body or cremated remains in a burial plot, vault, or crematorium niche.
 - j. Any other items that are incidental to burial services.

- E. "Contributions" means any monetary payment or donation made directly to the service provider or providers by a non-responsible person to defray the expenses of a deceased public assistance or medical assistance recipient's funeral or final disposition.
- F. Failure of any provider to provide sufficient transparency in disclosing and documenting all burial services and related charges, or failure of any provider to provide sufficient transparency in disclosing and documenting all payments and contributions received, in all forms contemplated in current law and regulation, for any application may subject that application to denial and/or the provider to being barred from future participation in the program with DHS payment as determined by DHS on a case by case basis.
- G. Further, if there are indicators of fraud or a violation of the Colorado False Claims Act by any provider as a result of DHS conducting its review and assessment of an application for benefit, DHS reserves the right to report a provider to the Colorado Attorney General, and other regulatory agencies, for investigation and potential charges.
- H. Regardless of these programmatic requirements, anyone can contract with any provider for burial services for a decedent but may not be able to qualify for payment under the DHS administered program for such benefit. DHS reserves the right to deny any application for benefit under this program if the provider of burial services has been identified by DHS as being barred from participation in the program.
- I. Grievance Procedure:
 - a. Only a qualified applicant for benefits, or a provider of burial services, who has an application denied, payment denied, or has been barred, has standing to file a grievance under this procedure.
 - b. A qualified applicant or provider may file a grievance related to:
 - i. a denial of an application for benefits,
 - ii. a denial of payment,
 - iii. has been barred from participation on this program,
 - iv. disputes the program's requirement for transparency and/or documentation,
 - v. the programs determination that a response to a request for documentation to a provider is untimely, or
 - vi. the program's determination of whether an application is complete.
 - c. For a grievance to be considered, the applicant must file a written request for grievance with the Denver Human Services Burial Assistance Program at 1200 Federal Blvd., 3rd Floor, Denver, CO 80204.
 - d. The written request must include a copy of the relevant application for benefits, and a brief factual description of what is being grieved, and a request for the resolution sought by the submitter.
 - e. Upon receipt of the written grievance, program staff will begin the process of investigation and gathering of information to assess the grievance and requested resolution. An applicant or provider who submitted the grievance is required to

timely cooperate with any requests made by the program staff in conducting the investigation, or the grievance will be denied for lack of timely cooperation.

- f. The investigation and information gathering process will be completed in no less than twenty-one (21) days.
- g. A written final resolution will be provided to the applicant or provider who submitted the application within no less than thirty (30) days following receipt of the applicant's written grievance request.