

~~UNDER SUBSECTION (A) OF THIS SECTION, THE PROGRAM REPRESENTATIVE SHALL PAY REASONABLE FUNERAL EXPENSES FOR THE DECEASED RECIPIENT FROM THESE FUNDS IF:~~

~~(I) A TIMELY APPLICATION FOR PAYMENT OF FUNERAL EXPENSES HAS BEEN FILED WITH THE PROGRAM REPRESENTATIVE THAT CERTIFIES THAT:~~

~~1. EVERY PERSON LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE DECEDENT IS UNABLE TO PAY THE EXPENSES; AND~~

~~2. THE DEGREE TO WHICH OTHER RESOURCES, INCLUDING DEATH BENEFITS AVAILABLE TO THE ESTATE OF THE DECEDENT, ARE INSUFFICIENT TO PAY THE FUNERAL EXPENSES; AND~~

~~(II) THE PROGRAM REPRESENTATIVE HAS DETERMINED THAT THE CERTIFICATION IS TRUE.~~

~~(2) (I) THE PROGRAM'S PAYMENT MAY NOT EXCEED \$1,500 FOR FUNERAL EXPENSES.~~

~~(II) SUBJECT TO THE PROHIBITION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PROGRAM SHALL PAY THE DIFFERENCE BETWEEN \$1,500 AND THE FUNDS OTHERWISE AVAILABLE FOR FUNERAL EXPENSES.~~

~~(F) A PAYMENT UNDER SUBSECTION (A) OF THIS SECTION IN GOOD FAITH TO THE PROGRAM SHALL DISCHARGE AND RELEASE THE TRANSFEROR FROM ANY LIABILITY OR RESPONSIBILITY FOR THE TRANSFER IN THE SAME MANNER AND WITH THE SAME EFFECT AS IF THE PROPERTY HAD BEEN TRANSFERRED, DELIVERED, OR PAID TO A PERSONAL REPRESENTATIVE OF THE ESTATE OF THE DECEDENT.~~

~~(G) A PERSONAL REPRESENTATIVE FOR THE ESTATE OF A PROGRAM RECIPIENT MAY NOT WITHDRAW FUNDS FROM A CHECKING, SAVINGS, OR OTHER LIQUID FINANCIAL ACCOUNT UNLESS:~~

~~(I) THE DECEDENT:~~

~~(I) WAS LESS THAN 55 YEARS OF AGE WHEN RECEIVING ALL MEDICAL ASSISTANCE BENEFITS, OR~~

~~(II) HAD AT THE TIME OF DEATH:~~

~~1. A SURVIVING SPOUSE;~~

~~2. A SURVIVING CHILD LESS THAN 21 YEARS OF AGE; OR~~

~~3. A SURVIVING CHILD WHO WAS BLIND OR PERMANENTLY AND TOTALLY DISABLED; OR~~

~~(2) (I) THE PERSONAL REPRESENTATIVE NOTIFIES THE PROGRAM 10 DAYS IN ADVANCE OF THE DATE THAT THE REPRESENTATIVE SEEKS TO WITHDRAW FUNDS; AND~~