

# Veteran's Benefits



Veterans should contact the Veterans Administration for available benefits when planning their funeral.

## **Veterans benefits may include:**

A flag or memorial for your service or as a graveside marker; a burial headstone or marker; and an allowance towards the costs of burial, funeral and plot.

## **Survivor & dependent compensation may also be available.**

Veterans who have met minimum active duty requirements may be eligible for burial in a VA national cemetery. If so, your spouse or disabled child may also be eligible for burial, even if they predecease the Veteran.

**Documentation of military service is required.** *Ask your funeral director for assistance in obtaining veterans' benefits.*

## **In case of need, the VA will provide:**

- Gravesite (at no cost to the family), headstone or marker, US Flag and perpetual care.
- The VA can also help with the costs of transporting the remains to a national cemetery.
- The family would be responsible for the funeral director's service fees.

# Important Contacts

**NYS Department of Health Bureau of Funeral Directing;** (518) 402-0785  
[www.health.ny.gov/professionals/funeral\\_director/rights.htm](http://www.health.ny.gov/professionals/funeral_director/rights.htm)

## **Publications:**

- A Consumer's Guide to Arranging a Funeral
- Before Prepaying Your Funeral, Know Your Rights
- Funeral Home/Director Complaint Form
- Form for Appointment of Agent to Control Disposition of Remains

**The FTC Funeral Planning Tips**  
[www.consumer.ftc.gov/articles/0070-shopping-funeral-services](http://www.consumer.ftc.gov/articles/0070-shopping-funeral-services)

**NYS Funeral Directors Association**  
(518) 452-8230 (Click on Resources Tab)  
[www.nysfda.org/index.php#](http://www.nysfda.org/index.php#)

## **Publications:**

- Consumer's Guide to Funeral Planning
- Glossary of Funeral Terms
- Facing Grief

**Green Burial Council of North America**  
[www.greenburialcouncil.org](http://www.greenburialcouncil.org)

**NYS Department of State regulates some cemeteries** [www.dos.ny.gov/cmt/index.html](http://www.dos.ny.gov/cmt/index.html)

**Veterans Benefits: Contact the nearest VA regional office;** 1-800-827-1000  
To apply for burial in a national veteran's cemetery.  
1-800-535-1117  
[www.va.gov/burials-memorials/](http://www.va.gov/burials-memorials/)

**QUESTIONS? Call 800-333-4374**

# Funeral Needs

Know Your Rights



**STATE  WIDE**

**New York StateWide Senior Action Council, Inc.**  
275 State Street, Albany, NY 12210 • 800-333-4374 • Fax (518) 436-7642  
[www.nysenior.org](http://www.nysenior.org)

# Planning

Rather than leaving this burden to others, you can discuss funeral plans with family and friends and select a trusted person to oversee your final wishes.



NYS law allows you to complete a form called “**Appointment of Agent to Control Disposition of Remains.**”

Your agent is NOT obligated to pay for the funeral; whoever signs the funeral home contract IS obligated to pay the funeral costs.

NY State has laws regulating funeral homes and some cemeteries. New York’s consumer protections regarding pre-paying are the best in the country, but do not apply in other states.

You may have a home funeral, or plan for visitors to pay their respects at a funeral home. Regardless, NYS requires that a funeral director:

- 1 Sign and file the death certificate;
- 2 Obtain the permits, and be present at the final point of disposition.

The mandatory basic services fee covers these costs. An immediate cremation is the least expensive option. The least expensive burial option is an immediate burial.

# Costs

You must be given a **General Price List** describing the costs associated with a funeral.

## Tips to consider

- Select only those items you want.
- Purchase a casket or container for cremation on-line or through a funeral home.
- Embalming is NOT a required service.

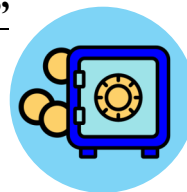
## Prepayment of funeral expenses

Many funeral homes require full payment prior to rendering services. Prepayment leads you to select and pay for the type of arrangements that you wish.

It is also an option for those needing to spend down to qualify for Medicaid using an irrevocable trust. Unspent funds go to your county.

## Other options

- Open a “payable on death” **bank account** naming a trusted person to make needed payments. You control this and can withdraw at any time.
- Arrange for a NYS regulated **pre-need plan** with a funeral director. It is an interest earning revocable trust. You can withdraw the money with 30 days written notice which may alter the agreement made with the funeral home. Money not used after your funeral will return to your estate.



# Cemetery

## Choosing a Cemetery

- 1 You have the right to receive a current price list, see a map of the cemetery and have a lawyer review any contract before you sign. **Ask if the cemetery has restrictions on flowers and displays.**
- 2 A cemetery can only require a concrete vault or concrete grave liner. There may be a fee for setting the vault or liner. The cemetery can refuse to inter you if any money is owed.
- 3 Keep the original copy of the cemetery rules and regulations, contract and deed in a safe place. The cemetery is not required to buy back a plot if you change your mind, but must be allowed that option before you sell to someone else.
- 4 If you wish your body to return to the earth as simply as possible, seek a cemetery that offers a natural or green burial.



Before relying on a life insurance policy to pay for funeral expenses, check with the insurance company to make sure the face value will be paid to the beneficiary.