

Legislative History for Connecticut Act

PA 16-20

SB189

Senate 582, 649-650 3

General Law 110-112, 260-261 5

House Transcripts have not been received. They are available on CGA website, but are not the Official copy. Contact House Clerk for assistance (860) 240-0400 8

**Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings**

**Connecticut State Library
Compiled 2017**

S - 692

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2016**

**VOL. 59
PART 2
356 - 678**

/je
SENATE

000582

14

April 19, 2016

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 3, Calendar 113, Senate Bill 189, I'd like to mark that item as Go and also place that item on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

On Calendar page 3, Calendar 117, Senate Bill 273, I'd like to mark that item as Go and place that item on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 4, Calendar 121, Senate Bill 147, I'd like to mark that as Go.

THE CHAIR:

Seeing no, okay sir.

SENATOR DUFF (25TH):

THE CLERK:

On page 1, Calendar 395, House Joint Resolution number 169.

Page 1 Calendar 396, House Joint Resolution number 170.

Page 2, Calendar 67, Senate Bill 181.

Page 3, Calendar 89, Senate Bill 135.

Also on page 3, Calendar 113, Senate Bill 189.

Page 3, Calendar 117, Senate Bill 273.

Also on page 3, Calendar 84, Senate Bill 185.

Page 6, Calendar 159, Senate Bill number 309.

Page 7, Calendar 166, Senate Bill 218.

On page 9, Calendar 206, Senate Bill 220.

Page 13, Calendar 273, Senate Bill 219.

On page 18, Calendar 321, Senate Bill 87.

Page 22, Calendar 366, Senate Bill 334.

Page 34, Calendar 93, Senate Bill 211.

On page 35, Calendar 142, Senate Bill 127.

Page 38, Calendar 241, Senate Bill number 249.

THE CHAIR:

/je
SENATE

April 19, 2016

The Consent Calendar is before the Chamber. The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on the first Consent Calendar for today has been ordered in the Senate.

THE CHAIR:

Members please check the board to see that your vote has been properly recorded. If all members have voted and all votes have been properly recorded, the machine will be locked. Would the Clerk please take a tally.

THE CLERK:

On today's, the first Consent Calendar for today,

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Absent and not voting	1

THE CHAIR:

The Consent Calendar is passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. If we could just stand at ease for a moment.

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 1
1 – 412**

**2016
INDEX**

GENERAL LAW COMMITTEE

REP. BARAM (15TH): Thank you. Any questions? Thank you. I just remind you if you have testimony that hasn't been turned in, to please do so. Okay. Next we have Randy Molloy and John Carmen. Again, they will be followed by Paul Farnsworth, followed by Don Flanagan.

RANDY MOLLOY: Representative Baram, Senator Leone, and members of the General Law Committee. My name is Randy Molloy. John cannot be with me today. I am the Legislative Co-Chair for the Connecticut Funeral Directors Association, representing 220 funeral homes, many licensed funeral directors and their employees. I am also a licensed funeral director and owner of the Molloy Funeral Home in West Hartford.

Connecticut Funeral Directors Association expresses full support for Senate Bill 189, a proposal that will allow Connecticut residents the opportunity to personally pre-fund an in an irrevocable funeral trust, with a licensed funeral director in the amount not to exceed \$8,000 without impacting their eligibility for Medicare.

The present irrevocable trust cap is \$5,400 and has been in effect since July 1st of 1997. Surely this Committee must recognize a nearly 20-year-old cap is outdated by the standards of today's cost, inflation, and price disparities in the counties of this state.

Furthermore, Connecticut is not in line with our neighboring states or the entire Northeast with regard to the amount allowed in pre-funded, irrevocable trust. Presently, 45 states allow their residents to pre-fund their final wishes with an irrevocable funeral trust without a cap.

If approved, this proposal will have a positive impact

GENERAL LAW COMMITTEE

on the ability of any Connecticut resident to choose and have the option to pre-fund more completely the funeral, memorial service, or cremation service of their choice. Importantly, individuals will be able to choose a funeral based on family customs, religious beliefs, and financial ability - affordability.

This type of funeral trust also may reduce the out-of-pocket funeral expenses for survivors at the time of death.

The Connecticut Funeral Directors Association continues to be grateful to this Committee for its willingness to hear this long overdue cap increase. We ask for your support and the ability to allow any Connecticut resident the option to pre-fund in an irrevocable trust from their own funding sources, up to \$8,000 without impacting their Medicaid eligibility. Thank you very much.

REP. BARAM (15TH): Thank you. Are there any questions? Yes, Senator Leone.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. Just out of curiosity, I mean what is the average cost or - - and then maybe what is the average purchase for a - a typical funeral if there is such a word as a typical funeral?

RANDY MOLLOY: The National Funeral Directors Association figures lists \$81,000 for a burial with visitation and etcetera. Cremation -

SENATOR LEONE (27TH): Excuse me, did you say 81,000 or 8,100?

RANDY MOLLOY: Eighty-one hundred.

GENERAL LAW COMMITTEE

SENATOR LEONE (27TH): Okay.

RANDY MOLLOY: Okay. That does not include any cash advance items. In other words, purchasing a grave, opening a grave, church service, obituary, etcetera, which adds approximately anywhere in the neighborhood of \$1,000 to \$3,000 more depending on the client's wishes. The average cremation is around 4,600.

SENATOR LEONE (27TH): So under the current system with the cap at 5,400, what are people doing now if - if the cap is hindering their - their wishes?

RANDY MOLLOY: A direct disposal.

SENATOR LEONE (27TH): Which means what?

RANDY MOLLOY: Either a direct burial or a cremation.

SENATOR LEONE (27TH): And so you're saying that doesn't taken into - they wouldn't be able to perform either the things they would like to do or cultural norms that they would expect to do? Is that correct?

RANDY MOLLOY: That's correct.

SENATOR LEONE (27TH): Thank you.

RANDY MOLLOY: Thank you.

REP. BARAM (15TH): Thank you. Any other questions? Thank you again for your testimony and I see John is now with you, but give him my regards.

RANDY MOLLOY: I will.

REP. BARAM (15TH): Okay. Next we have Paul Farnsworth, followed by Don Flanagan, followed by Doug

Connecticut Funeral Directors Association, Inc.

364 Silas Deane Highway
Wethersfield, CT 06109
(860) 721-0234

Line 12
Page 9

Written Testimony of
Randy Molloy, Co-Chair of the Legislative Committee
John Carmon, Past President of CFDA and NFDA

SB 189, An Act Concerning Irrevocable Funeral Service Contracts

General Law Committee
Public Hearing
February 23, 2016

Good afternoon Senator Leone, Representative Baram, Senator Witkos, Representative Carter and the distinguished members of the General Law Committee. My name is Randy Malloy and I am the Legislative Committee Co-Chair of the Connecticut Funeral Directors Association (CFDA), CFDA represents 220 funeral homes. I'm also a licensed funeral director and the owner of the Molloy Funeral Home in West Hartford. With me today is John Carmon from the Carmon Funeral Homes. John is a past president of the Connecticut and National Funeral Directors Associations. We thank you for raising Senate Bill 189, An Act Concerning Irrevocable Funeral Service Contracts.

The Connecticut Funeral Directors Association expresses full support of Senate Bill 189, a proposal that will allow Connecticut residents the opportunity to personally pre-fund an irrevocable funeral trust with a licensed funeral home, in an amount not to exceed \$8,000 without impacting their eligibility for Medicaid.

The present irrevocable trust cap of \$5,400 has been in effect since July 1, 1997. Surely this committee must recognize that a nearly 20-year cap is outdated by all standards of today's costs, inflation and price disparities in the counties of the State. Furthermore, Connecticut is not in-line with our neighboring states, the entire Northeast with regard to the amount allowed to pre-fund an irrevocable trust. Forty-five states allow their residents to pre-fund their final wishes in an irrevocable funeral trust without a cap.

If approved, this proposal will have a positive impact on the ability of any Connecticut resident to choose and have the option to pre-fund more completely, if not in full, the funeral and memorial or cremation service of their choice. Individuals will be able to choose a funeral based on family customs, religious beliefs and financial affordability. This type of a funeral trust helps to reduce the out-of-pocket funeral expenses of survivors at the time of death. Since many Connecticut funeral homes continue to offer guarantees on their services and merchandise with paid-in-full pre-funded contracts, this proposal stands to promote peace of mind for thousands of Connecticut residents as they pre-plan their funeral.

CFDA continues to be grateful of this committee's willingness to hear of this long overdue cap increase issue. We ask that you support this proposal – the ability to allow any Connecticut resident the option to prefund an irrevocable trust, from their own funding sources, up to \$8,000 without impacting their Medicaid eligibility. The \$2,600 increase is simply a cost of living adjustment for the past 19-years.

Thank you for your consideration of this testimony and we are available to answer any questions that you may have.