

# FUNERAL ASSISTANCE CODE

CONFEDERATED TRIBES  
OF THE  
UMATILLA INDIAN RESERVATION

**FUNERAL ASSISTANCE CODE**

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## **FUNERAL ASSISTANCE CODE**

### **CHAPTER 1. GENERAL PROVISIONS**

#### **SECTION 1.01. TITLE**

This Code shall be cited in full form as the "Funeral Assistance Code of the Confederated Tribes of the Umatilla Indian Reservation" and in short form as the "Funeral Assistance Code".

#### **SECTION 1.02. POLICY**

Subject to available funding and budget limitations, it is the policy of the Confederated Tribes to provide a limited amount of funeral, dinner and travel assistance in the event of the death of a tribal member. The Tribal Enrollment Office shall administer these benefits. The benefits outlined in this code do not apply to tribal members who have died prior to the approval of this code.

#### **SECTION 1.03. PURPOSE**

The purpose of this Code shall be to:

- A. Specify the criteria and procedures for providing funeral assistance to the families of deceased tribal members;
- B. Outline the guidelines for providing dinner assistance for a tribal member funeral, and;
- C. Provide information on need based travel assistance for tribal members to attend funerals of immediate family members.
- D. It is not the intent of this code to dictate how or where to bury, cremate or entomb a deceased tribal member or how to conduct the funeral or dinner, the intent is to dictate which costs will be paid for directly or reimbursed.

#### **SECTION 1.04. DEFINITIONS**

- A. Confederated Tribes. The Confederated Tribes of the Umatilla Indian Reservation.
- B. Direct Funeral Expenses. Those expenses incurred as an expense necessary in order to facilitate in the disposition of a deceased tribal member.
- C. Qualifying Couple. A qualifying couple is a couple who is either married, in a domestic partnership as defined by the Family Law Code, or would be considered as being in a common law marriage under the Family Law Code but for the fact that they are same sex couples.
- D. Enrollment Office. The Enrollment Office of the Confederated Tribes of the Umatilla Indian Reservation.
- E. Family Unit. A group of people who are related to each other by blood, adoption, marriage, or are otherwise a Qualifying Couple and who reside at the same address.
- F. Funeral Service Providers. Any business, group or individual that provides a service for a funeral. The term does not include cooks, servers, singers, drummers, speakers, clergy, pallbearers, and musicians.
- G. Immediate Family Member. Mother, father, son, daughter, wife, husband, brother, sister, grandmother, grandfather, great grandfather, great grandmother, grandchild, great grandchild, stepson, stepdaughter, stepfather, stepmother, legal guardian, or Qualifying Couple, regardless of tribal membership. The immediate family member does not have to be a CTUIR tribal member.

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- H. Primary Contact. That person who is responsible for making the funeral arrangements, signing the work order at the mortuary, and paying any costs over \$4500.00.
- I. Tribal Member. An enrolled member of the Confederated Tribes of the Umatilla Indian Reservation, or a non-enrolled infant age two years or younger who is otherwise eligible for enrollment with the Confederated Tribes.
- J. Tribal Member Benefits Coordinator. That person employed by the Confederated Tribes that is housed in the Enrollment Office and is responsible for administering the Funeral Assistance.

**SECTION 1.05. AFTER HOURS NOTIFICATION**

The Tribal Member Benefits Coordinator shall provide information to the public as to the procedures for obtaining assistance during hours when the offices of the Confederated Tribes are not open for business.

**CHAPTER 2. BENEFITS**

**SECTION 2.01. ELIGIBILITY**

- A. Funeral Assistance Benefit. To be eligible for funeral assistance, the deceased must be an enrolled member of the Confederated Tribes, or a non-enrolled infant age two years or younger that is otherwise eligible for enrollment with the Confederated Tribes.
- B. Dinner Assistance. Available to the primary contact person handling the funeral arrangements or their designee.
- C. Travel Assistance. This benefit is available only to enrolled CTUIR Tribal members to attend the funeral of an immediate family member.
- D. Headstones. To be eligible for the headstone benefit, the deceased must be an enrolled member of the Confederated Tribes, or a non-enrolled infant age two years or younger that is otherwise eligible for enrollment with the Confederated Tribes.
- E. Should funds become limited, the first funded will be funeral costs, the second will be the dinner assistance, and the third will be travel assistance.

**SECTION 2.02. LIMITATIONS OF BENEFITS**

- A. Funeral Assistance. The maximum amount the Confederated Tribes will pay for direct funeral expenses is \$4,500.00 per tribal member death.
- B. Dinner Assistance. The dinner allowance is \$250.00 per funeral.
- C. Travel Assistance. The maximum benefit is \$100 per tribal member per incident. Special limitations are outlined in section 2.05, below.
- D. Headstones. The maximum benefit is \$250 per tribal member death, except when there are funds remaining from the funeral assistance benefit, in which case the unspent amount shall be made available for a headstone. This is in addition to the \$250 headstone allowance.
- E. Dinner, travel and headstone assistance are not deducted from the \$4500 funeral assistance limit.
- F. Any amount unspent shall remain in the Funeral Assistance fund and shall not be cashed out.

**SECTION 2.03. FUNERAL ASSISTANCE BENEFIT**

- A. Arrangements. Neither the Confederated Tribes, nor the Enrollment Office are responsible for funeral arrangements. It is the sole responsibility of the family or other responsible party to make the arrangements for the funeral. These arrangements include the following:
1. Time and date of funeral, dressing, religious services, dinners, etc.,
  2. Use of longhouse or church facilities,
  3. Place of burial, cremation or interment. and location of grave within cemetery, or location of urn within a mausoleum or columbarium,
  4. Opening and closing of grave, mausoleum, columbarium , or other interment facility,
  5. Paying for expenses that exceed the maximum benefits.
- B. Notification. As soon as possible after a death, the Enrollment Office shall be contacted with the following information:
1. Full legal name of deceased.
  2. Date and place of death.
  3. Date and place of funeral, burial or cremation.
  4. Primary contact person's name, address, and phone number.
  5. Name(s) of next of kin, executor of estate or will, if any.
  6. Veteran's information, including what branch of service, and membership information in the VFW and American Legion, including what type of membership, such as dues paying member, lifetime member, or auxiliary member.
  7. Name and phone number of mortuary handling the funeral, if applicable.
  8. Life insurance information that includes a burial benefit and/or any other burial insurance coverage.
  9. Veteran benefit insurance information.
  10. In the event of an automobile accident, the name, address, insurance provider and policy number of the owner and/or driver of the automobile.
- C. Allowable Costs. A maximum of \$4500.00 per tribal member for funeral assistance benefit shall be provided for direct funeral expenses, which includes the following allowable costs. (Procedures for acquiring goods available from the Confederated Tribes are outlined in section 2.06.)
1. Services provided by the mortuary, cash advances by mortuary, for transportation of remains (including airfare if applicable), cremation costs.
  2. Caskets and wooden grave liner boxes, which are available from the Enrollment Office or from any other vendor including the funeral home. This allowance includes other than wooden vaults and/or grave liners required by cemeteries,
  3. Cremation urns,

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4. Two (2) death certificates purchased through funeral home and sent to the Tribal Enrollment Office. Additional copies may be ordered, but the Confederated Tribes will only pay for two,
  5. Cemetery costs (if any), one plot for the burial, fees for opening and closing of grave, mausoleum costs. These costs apply to off reservation expenses as well,
  6. Flowers (purchased as a cash advance through the funeral home when ever possible),
  7. One (1) Pendleton Blanket used directly for the burial or in the casket (purchased through Tamastlikt Cultural Institute if possible, and if not possible a receipt must be provided for reimbursement),
  8. Buckskin hides (purchased through the Tribal Enrollment Office),
  9. Tule mats (purchased through the Tribal Enrollment Office or Tamastlikt Cultural Institute, and are not to exceed the price of \$150 each),
  10. Clothing for the deceased purchased as a cash advance through the funeral home,
  11. A grave marker supplied by the Confederated Tribes.
- D. Costs not paid for by the Confederated Tribes. The Confederated Tribes and/or the Funeral Assistance Plan will not pay for any of the following:
1. Any expense over the \$4500.00 limit per deceased,
  2. Death notices or obituaries,
  3. Giveaway, gift or payment items, including expenses related to fees and/or gratuities for a funeral officiator, soloist, music, cooks, servers, drummers, etc.,
  4. Headstones, grave markers, other than those supplied by the Confederated Tribes, or any memorial or stone setting expenses,
  5. Any endowment care funds for the upkeep of cemetery plots, crypts, columbarium's, or mausoleums.
- E. Billing and Payment.
1. All payments will be made directly to the provider(s) except as noted in this subsection.
  2. Whenever possible, the family shall avoid disclosure of the Confederated Tribe's \$4,500.00 assistance to the funeral home. The primary contact shall make all of the arrangements for the funeral including the billing, and shall submit an itemized billing statement to the Tribal Enrollment Office.
  3. In the event the funeral home requires pre-payment of the expenses, the primary contact shall notify the Enrollment Office. The Enrollment Office shall then contact the mortuary and make arrangements for the payment.
  4. The primary contact is responsible for ensuring the Enrollment Office is provided with an original itemized bill from the mortuary and two (2) original death certificates. These may be sent directly to the Tribal Enrollment Office from the mortuary or sent by the family. Payment will not be made until these items have been received.
  5. Payments will be made after all other benefits have been paid, such as Veteran benefits or insurance.

6. Payments will be in the following order:
    - a. Products supplied by the Confederated Tribes (caskets, buckskins, tule mats, blankets, grave marker),
    - b. Tamastlikt Cultural Institute,
    - c. The mortuary serving as the primary service provider,
    - d. A secondary mortuary,
    - e. Cemetery,
    - f. Other service/goods provider.
  7. In the event the funeral costs have been paid in full prior to the Confederated Tribes' making a payment, the individual(s) who paid for the funeral will be entitled to a reimbursement for allowable expenses only up to a maximum of \$4500.00. The individual(s) must provide proof of payment in full. If the individual who paid for the funeral is the deceased, no reimbursement will be allowed to the family or the estate. All of the inclusions and exclusions that apply to the burial benefit will also apply toward funeral expenses that are reimbursed to the person who paid for the funeral.
- F. Prepaid Funerals. Upon the death of a tribal member, if a funeral for a tribal member has been prepaid, the Confederated Tribes will reimburse up to \$4500, to the person that prepaid the funeral provided they submit receipts showing they paid the funeral expenses. If the expenses do not exceed the limit, the remainder of the \$4500 will be made available to the family for direct funeral expenses upon the death of the tribal member. Should the benefit limit be increased in the future, the amount available at the time of the funeral will be the current limit less the prepaid expenses. If the funeral has already taken place and the person who paid for the funeral is the deceased tribal member, no reimbursement will be made to the family or the estate. All of the inclusions and exclusions that apply to the funeral assistance benefit will also apply toward funeral expenses that are prepaid.

#### SECTION 2.04. DINNER ASSISTANCE

- A. Dinner assistance is available to the family to provide a customary dinner/lunch immediately following the funeral service. The intent of the funding is to provide the family with assistance in accommodating their desire to feed those community members who attend the funeral in respect of the departed.
- B. A maximum of \$250.00 will be provided per funeral.
- C. The primary contact person shall determine and notify the Tribal Enrollment Office as to whom the check is to be issued to. In order to produce a check, the Enrollment Office must have the name, social security number, and address, and phone number of the person to whom the check is being issued.
- D. The dinner shall be a public dinner at the church, longhouse or similar facility. Dinner assistance will not be provided for private or family only dinners.

#### SECTION 2.05. TRAVEL ASSISTANCE

- A. This assistance is available to enrolled members of the Confederated Tribes who have a death of an immediate family member and who otherwise, because of financial hardship, would not be able to attend funeral services. Travel assistance will be provided for tribal members, traveling directly to and from the funeral. Distance is based on the mileage from the tribal members' address of record at the Tribal Enrollment Office to the funeral.

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- B. Automobile Travel. The Confederated Tribes may provide gas money for one vehicle per family unit traveling directly to a funeral of an immediate family member. To qualify for this benefit, at least one person in the vehicle must be a member of the Confederated Tribes who is also a member of the family unit. The amount allowed is calculated using the round trip mileage distance to the funeral, divided by 15 (average miles per gallon) then multiplied by the cost of fuel at Arrowhead Travel Plaza the day the request is made. The maximum amount per vehicle shall be \$100.00. The Confederated Tribes will not pay for local mileage. Travel distance must be at least 50 miles one way.
- C. Airline Travel. Airline ticket assistance will be a maximum of \$100.00 per tribal member traveling directly to a funeral of an immediate family member. Airline ticket receipts shall be turned into the Tribal Member Benefits Coordinator. The tribal member(s) must live no less than 250 miles, one way, to be considered for Airline Ticket assistance.
- D. Bus or Train. Assistance will be limited to the actual cost of the round trip fare or a maximum of \$100, whichever is less. There are no distance restrictions for bus or train travel.
- E. Disallowed Costs. The Confederated Tribes will not be responsible for any maintenance to vehicles, fines, fees, hotel, meal costs and side trips incurred as part of the trip to and from the funeral.
- F. Travel Assistance Procedure.
  - 1. Requests must be made to the Tribal Member Benefits Coordinator and must be in writing.
  - 2. All requests must explain how/why the tribal member would be unable to attend the funeral due to financial hardship.
  - 3. Requests must be made prior to travel to a funeral.
  - 4. Requests for reimbursement for a trip to a funeral already attended will not be honored.
  - 5. Approved requests will be processed and a check will be delivered to the tribal member prior to departure to the funeral, mailed to their home, or deposited into their bank account provided there is local access to a branch of their bank.
  - 6. The Confederated Tribes cannot wire money to a tribal member.

**SECTION 2.06. FUNERAL ITEMS PROVIDED BY THE CONFEDERATED TRIBES**

- A. The Confederated Tribes purchases caskets, grave liners, buckskins and tule mats that may be used for tribal member funerals. The cost and access to these items is available by contacting the Enrollment Office. Blankets used for funerals are also available through the Tribal Enrollment Office and Tamástsiłkt Cultural Institute. Procedures for using these items are outlined below.
- B. General Information.
  - 1. Items selected for use in tribal member funerals are deducted from the \$4500.00 allowance prior to any other service or good being paid.
  - 2. Items are available by contacting the Enrollment Office.
  - 3. Items are allowed for purchase by individuals for use in non-tribal member funerals. Costs are outlined in subsection (G), below.
  - 4. The primary contact has sole authority to select merchandise used for funerals.

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5. The Confederated Tribes will not pay for items provided by other vendors unless they are purchased by the funeral home and are listed on the itemized billing provided to the Confederated Tribes.
  6. Items not available from the Confederated Tribes may be purchased from another source. If they are paid for by the family, a receipt must be provided in order to be reimbursed. Whenever possible, payment will be made directly to the vendor. The amount of items purchased is subject to the limitations outlined in Sections 2.06.D, 2.06.E, and 2.06.F, below.
- C. Caskets.
1. Caskets purchased from the Confederated Tribes are delivered to Pendleton, Oregon mortuaries only, but may be purchased for non-local use provided transportation and/or shipping is provided by the family.
  2. The Confederated Tribes will not pay for transportation or shipping costs that are non-local.
  3. If the casket shipping container/grave liner is not used, the cost of it will be deducted from the price of the casket.
- D. Tule Mats.
1. The primary contact or their designee may select up to two tule mats to be used directly for the funeral.
  2. If the Enrollment Office does not have tule mats available, they may be purchased from Tamastlikt Cultural Institute using a voucher issued by the Tribal Enrollment Office.
- E. Blankets.
1. The primary contact or their designee may select one (1) blanket to be used directly for the funeral.
  2. Pendleton Blankets may be purchased from Tamastlikt Cultural Institute using a voucher issued by the Tribal Enrollment Office.
- F. Buckskins.
1. The primary contact or their designee may select buckskins to be used directly for the funeral.
  2. Buckskins are available only for use for the deceased
  3. The amount of hides available is based on the size of the tribal member and what the hides are being used for. This determination is made by the primary contact person and the Enrollment Office.
- G. Headstones Purchases
1. The primary contact person or their designee may select a headstone from any vendor. After the selection is made, they must notify the Enrollment Office as to the total cost and the vendor name. They must also provide the address and copy of the vendor's W-9 – Request for tax payer identification number and certification.
  2. The Confederated Tribes will make a payment up to \$250 toward the cost of a headstone. Payment will be made directly to the vendor.

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3. In the event there is money left over from the \$4500 funeral assistance, any remaining money may be used toward the purchase of a headstone. This is in addition to the \$250 headstone allowance. This payment is also made directly to the vendor.
4. In the event the headstone is already paid for prior to the Confederated Tribes making a payment, a receipt must be submitted in order to provide reimbursement. If the person who has prepaid the stone is the deceased, no reimbursement will be made to the family or the estate.
5. All headstones purchased through this benefit must be purchased within one year after the death of the tribal member.

H. Costs.

1. The cost of all items supplied by the Confederated Tribes and used for the tribal member is deducted from the \$4,500.00 maximum allowance prior to any other payment being made.
2. Items purchased from Tamástslikt Cultural Institute for the funeral of a tribal member require an authorization voucher. This voucher is available for one (1) Pendleton blanket and/or two (2) tule mats. Items purchased *without* an authorization voucher will not be paid. The amount paid for a blanket is not to exceed \$175.00 and the tule mat not to exceed \$150.00.
3. Items used for tribal member funerals are priced at the Confederated Tribes' cost.
4. Items may be purchased by tribal members for non-tribal member funerals. These items will be priced at the Confederated Tribes' cost.
5. Confederated Tribes employees may purchase items for funerals at ten percent (10%) above the Confederated Tribes' cost.
6. Non-tribal members and non-employees may purchase items for funerals at fifteen percent (15%) above Confederated Tribes' cost.

I. Payments for funeral items.

1. If the person making the purchase is a tribal member, they must make the payment in full or sign an assignment of future gaming revenues before the casket is picked up or delivered to the funeral home.
2. If the person making the purchase is a tribal employee, they must make the payment in full or sign a payroll deduction authorization before the casket is picked up or delivered to the funeral home.
3. If the person making the purchase is both a tribal member and tribal employee, they must make the payment in full, or sign an assignment of future gaming revenues and a payroll deduction authorization before the casket is picked up or delivered to the funeral home.
4. If the person making the purchase is neither a tribal member nor an employee, payment must be made in full prior to merchandise being released before the casket is picked up or delivered to the funeral home.

## APPENDIX A

### LEGISLATIVE HISTORY

**FUNERAL ASSISTANCE CODE**

**LEGISLATIVE HISTORY**

The Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation enacted the Funeral Assistance Code in Resolution No. 06-102 (October 23, 2006). In Resolution 12-028 (April 30, 2012), the Board of Trustees amended the Funeral Assistance Code to increase the amount of financial assistance provided to families of deceased tribal members.