

No. 1993-38

AN ACT

HB 838

Amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for dispositions independent of letters.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3101(b) and (c) of Title 20 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3101. Payments to family and funeral directors.

* * *

(b) Deposit account.—Any bank, savings association, savings and loan association, building and loan association, credit union or other savings organization, at any time after the death of a depositor, member or certificate holder, may pay the amount on deposit or represented by the certificate, when the total standing to the credit of the decedent in that institution does not exceed [~~\$1,500~~] **\$3,500**, to the spouse, any child, the father or mother or any sister or brother (preference being given in the order named) of the deceased depositor, member or certificate holder, provided that a receipted funeral bill or an affidavit, executed by a licensed funeral director which sets forth that satisfactory arrangements for payment of funeral services have been made, is presented. Any bank, association, union or other savings organization making such a payment shall be released to the same extent as if payment had been made to a duly appointed personal representative of the decedent and it shall not be required to see to the application thereof. Any person to whom payment is made shall be answerable therefor to anyone prejudiced by an improper distribution.

(c) Patient's care account.—When the decedent was a qualified recipient of medical assistance from the Department of Public Welfare, the facility in which he was a patient may make payment of funds, if any, remaining in the patient's care account, for the decedent's burial expenses to a licensed funeral director in an amount not exceeding [~~\$1,000~~] **\$3,500** whether or not a personal representative has been appointed. After the payment of decedent's burial expenses, the facility may pay the balance of decedent's patient's care account, as long as the payments including the payment for burial expenses does not exceed [~~\$1,500~~] **\$4,000**, to the spouse, any child, the father or mother or any sister or brother (preference being given in the order named) of the deceased patient. Any facility making such a payment shall be released to the same extent as if payment had been made to a duly appointed personal representative of the decedent and it shall not be required to see to the application thereof. Any licensed funeral director or other person to whom

payment is made shall be answerable therefor to anyone prejudiced by an improper distribution.

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Section 2. This act shall take effect immediately.

APPROVED—The 28th day of June, A.D. 1993.

MARK S. SINGEL
ACTING GOVERNOR