**Section 117.53 Payment to Vendor(s)**

a) If no person has agreed to pay the total cost of funeral and burial charges, the Department will pay the vendor the actual costs of the funeral or burial, or the maximum allowable amount for each service, whichever is less, provided the amounts available from the below identified sources are deducted from the Department's standard:

1) The decedent's assets and available resources and the anticipated amounts of any death benefits available to the decedent's estate.

2) Amounts paid and/or arranged to be paid by a decedent's legally responsible relative(s). A legally responsible relative is expected to pay funeral and burial expenses unless financially unable to do so.

b) Amounts available from the above sources are to be applied first to the cemetery charges and then to funeral charges.

c) The value of a casket and/or vault purchased after the person's death by a non-responsible person or organization shall not affect the amount of the vendor payment.

d) Payment up to $2000 by a non-responsible person or organization for services or merchandise that is not required to be covered by the Department's payment shall not affect the amount of the vendor payment. When one vendor is requesting payment for both funeral and burial expenses, the payment up to $2000 can be accepted for each the funeral services and the burial services.

(Source: Amended at 23 Ill. Reg. 5263, effective April 19, 1999)