

COQUILLE TRIBAL REGULATION
Chapter 154
Burial and Memorial Fund Regulation

154.010 General

1. Purpose

The purpose is to establish procedures and process to implement the Burial Fund Ordinance provisions, policies, and requirements to provide financial assistance to help defray funeral and burial costs for eligible enrolled Tribal members and eligible Tribal member spouses.

2. Definitions

For purposes of the Burial and Memorial Fund Ordinance and these procedures, the following definitions shall apply:

- a. Burial Fund: The term “Burial Fund” means the fund established by the Coquille Tribal Council by ordinance from which Burial Benefits are paid.
- b. Burial Benefit: The term “Burial Benefit” means the financial assistance for Tribal families and members provided by the Burial Fund and program established by the Tribal Council to assist with the costs incurred for memorial services, funeral services and burial of Eligible enrolled Tribal members or their legal spouses.
- c. Eligible: The term “Eligible” means:
 - i. A Tribal Member that dies after being enrolled with the Tribe;
 - ii. A deceased person who was the legal spouse of an enrolled Tribal Member at the time of the spouse’s death; or
 - iii. A child aged eighteen (18) years or younger at death that is a member of a Tribal household.
- d. Tribal Member: The term “Tribal Member” means a person who is officially enrolled as a member of the Coquille Indian Tribe under the Tribe’s Enrollment Ordinance and procedures.
- e. Tribe: The term “Tribe” means the Coquille Indian Tribe.
- f. Representative: The term “Representative” means the contact person for assuring that the memorial, funeral and burial services are provided to and paid for the Eligible deceased. Only one Representative may be

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designated. To serve as a Representative, a person must be at least 18 years of age and be:

- i. The spouse of the Eligible deceased; or,
- ii. A relative of the Eligible deceased, or,
- iii. A person who has a power of attorney for the Eligible deceased or the legal authority to administer an Eligible deceased's estate.

In the event of a dispute regarding who shall serve as Representative, the list above shall serve as the order of preference. No Burial Benefits may be disbursed until all such disputes are settled and a single Representative has been selected other than provided for in 154.080.

g. **Funeral Services Provider:** The term "Funeral Services Provider" means the establishment where deceased persons are prepared for burial and where funeral services are held. There can be more than one Funeral Services Provider.

h. **Memorial, Funeral and Burial Service:** The term "Memorial, Funeral and Burial Service" means any product or service provided for the memorial, funeral ceremony, burial, internment, or cremation of an Eligible Deceased.

154.030 Procedures

The following procedures will be used to comply with the requirements of the Burial Fund Ordinance, provide for a fair and equitable process, and provide for accountability for the program.

1. **Organizational Responsibility:** Responsibility for implementation of the Ordinance and operation of the program will be the following offices in the Tribal governmental organization.

a. **Tribal Member Services Office.** The Coordinator and/or staff will be responsible for the operation of the Burial Fund program. In addition, the Tribal Member Services Office will keep an interim record of expenditures for each Tribal member from the Burial Fund.

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b. Tribal Finance Department. The CFO and/or staff will be responsible for a final accounting of funds used for providing memorial, funeral and burial benefits.

2. Representative's Responsibility: The Representative, as the contact person, is responsible for assuring that the Tribal Member Services Office is notified of the Representative's intent to access the burial fund for Eligible Costs (as defined in 154.070) and for assuring the memorial, funeral and burial arrangements are made. The Representative must provide the name and address of all funeral and burial service providers. All requests for reimbursement from the Burial Fund must be directed to the Tribal Member Services Coordinator.

3. Notification: Whenever reasonably practicable, the Tribal Member Services Office must be notified of the intent to access the burial benefit of an Eligible Tribal Member or Tribal Member Spouse. The Tribal Member Services Office must be notified of the death of an Eligible Tribal Member or Tribal Member Spouse by the Representative.

4. Deadline: The Representative must notify the Tribal Member Services Department as soon as is practicable of the death of an Eligible person. All Burial Benefit payments must be made within 365 days of death.

5. Processing the Request: The following process is to be used to handle the request and make payment for the memorial, funeral and burial costs.

a. The Tribal Member Services Coordinator will review the request received from the Representative to assure that all the information needed is provided.

b. The Tribal Member Services Coordinator will notify the Tribal Finance Department regarding the intent to access the Burial Benefit.

c. The Tribal Member Services Coordinator and Tribal Controller may assist the Representative and Funeral Services Provider to determine the services provided, the costs to be paid, and arrangements for payment.

154.050 Payments from the Burial Fund

The Tribe will make payments under this Regulation in accordance with the Tribal Fiscal Management Ordinance, CITC Chapter 160. Payments will not be made without invoices or receipts documenting the Eligible Costs. Reimbursement for prepaid funeral or burial expenses will be paid to the estate of the deceased.

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154.070 Eligible Costs

Eligible Costs include any expenses related to a memorial, funeral, or burial service for an Eligible Tribal Member or Tribal Member Spouse except:

1. Alcohol; or
2. Illegal or illicit substances or activities; or
3. Travel or lodging expenses of attendees; or
4. Cash or cash equivalent gifts; or
5. Expenses owed by the estate; or
6. At the discretion of the Tribal Member Services Coordinator, anything deemed to be contrary to Tribal Public Policy.

154.080 Costs that May be Paid Prior to Death

An Eligible Person may access up to \$350.00 of their total Burial Benefit prior to death for the purposes of creating a memorial display. The funds available at death will be reduced accordingly. For the purposes of this section, an “Eligible Person” means:

1. An enrolled member of the Tribe who has attained the age of fifty five (55) years; or
2. A person who has attained the age of fifty-five (55) years and is the legal spouse of an enrolled Tribal Member; or
3. An enrolled member of the Tribe who is terminally ill; or
4. The terminally ill legal spouse of an enrolled Tribal Member; or
5. A terminally ill member of a Tribal household who is age eighteen (18) or younger

154.100 Administrative Requirements

The administration of the Burial Fund program will adhere to the following requirements.

1. The Tribe’s Finance Department is responsible for assuring that all funds available for the program, disbursement of funds, and balances of funds are

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accounted for consistent with the Fiscal Management Ordinance, Burial Fund Ordinance, and this regulation.

2. The Tribal Member Services Office is responsible for record keeping for the Tribal census roll update and making information available to appropriate entities.
3. The Tribal Member Services Office will provide periodic reports to the Tribal Council on the status of the Burial Fund program.

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History of Amendments to Chapter 154, Burial Fund Regulation:

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