



FEMA Funeral Assistance for COVID-19

Updated March 24, 2023

Congress authorized the Federal Emergency Management Agency (FEMA) to provide Funeral Assistance for deaths associated with the Coronavirus Disease 2019 (COVID-19) pandemic. Although the incident period for the COVID-19 declarations is set to end on May 11, 2023, FEMA has stated that it will continue to provide Funeral Assistance after that date. This Insight provides an overview of FEMA COVID-19 Funeral Assistance, including eligible expenses, applicant eligibility criteria, award determinations, and application deadlines.

Background

In response to the COVID-19 pandemic, President Donald J. Trump issued a nationwide emergency declaration under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; 42 U.S.C. §§5121 et seq.). Subsequently, President Trump and President Joseph R. Biden, Jr. approved major disaster declarations for 50 states, 5 territories, the District of Columbia, and 3 tribes under Stafford Act Section 401.

Funeral Assistance is a form of Other Needs Assistance (ONA) that FEMA may provide when the President authorizes the Individuals and Households Program (IHP)—a type of Individual Assistance (IA)—pursuant to a Stafford Act declaration of emergency or major disaster. In the case of the COVID-19 pandemic, Congress authorized FEMA to provide Funeral Assistance through legislation.

COVID-19 Funeral Assistance

Congress required FEMA to provide assistance for pandemic-related funeral expenses incurred on or after January 20 through December 31, 2020, for deaths attributable to COVID-19 under the Stafford Act COVID-19 pandemic declarations pursuant to Section 201 of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (P.L. 116-260, Div. M). Congress also authorized a 100% federal cost share. Additionally, Congress appropriated \$2 billion to the Disaster Relief Fund (DRF), to remain available until expended, to carry out such purposes.

Subsequently, Congress required FEMA to provide assistance for pandemic-related funeral expenses incurred on or after January 20, 2020, at a 100% federal cost share, pursuant to Section 4006 the

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https://crsreports.congress.gov IN11582

CRS INSIGHT Prepared for Members and Committees of Congress — American Rescue Plan Act of 2021 (ARPA; P.L. 117-2). Congress also appropriated \$50 billion to the DRF, to remain available until September 30, 2025, for costs associated with major disaster declarations, to include the provision of assistance under ARPA Section 4006.

The Stafford Act COVID-19 pandemic declarations for the declared states, territories, and District of Columbia (but not the three tribes) were then amended to reflect the authorization of IA, limited to COVID-19 Funeral Assistance.

FEMA began accepting applications on April 12, 2021, through a dedicated call center. Per FEMA's interim policy on COVID-19 Funeral Assistance, the agency will reimburse up to \$9,000 in eligible funeral expenses incurred on or after January 20, 2020, at 100% federal cost share, for deaths attributed to the COVID-19 pandemic.

Eligible Funeral Assistance Expenses

FEMA provides Funeral Assistance for disaster-caused funeral expenses, but not all expenses are eligible. FEMA's interim policy lists eligible expenses associated with funeral services and interment or cremation, including

- transportation to identify the deceased (up to two people);
- remains transfer;
- caskets/urns;
- burial plots/cremation niches;
- markers/headstones;
- interment;
- funeral services;
- clergy/officiant services;
- death certificate costs; and
- additional state/local/territorial/tribal (SLTT) government mandated expenses.

Examples of ineligible expenses include costs associated with obituaries, flowers, and printed materials (e.g., programs).

Eligibility Criteria and Considerations for COVID-19 Funeral Assistance

Applicants must meet the eligibility criteria in FEMA's interim policy to receive COVID-19 Funeral Assistance. Applicants must be U.S. citizens, noncitizen nationals, or "qualified aliens" (as defined by FEMA), and must have disaster-caused needs and necessary expenses that are not covered by other sources (e.g., insurance). Minor children cannot apply on behalf of adults who do not meet the citizenship requirements. Decedents do not have to meet the citizenship requirements.

In addition, to receive COVID-19 Funeral Assistance:

- the applicant must incur eligible funeral expenses on or after January 20, 2020;
- the applicant must present documentation indicating the death was related to COVID-19:
- a death certificate directly or indirectly attributing the death to COVID-19; or
- for deaths occurring between January 20 and May 16, 2020, a signed statement by the certifying official/medical examiner/coroner directly or indirectly attributing the death to COVID-19 and linking the death certificate cause of death with COVID-19; and

• the death must have occurred in the United States (i.e., a state, territory, or the District of Columbia).

Applicants must also provide documentation related to insurance or other funeral benefits received, and funeral expenses incurred.

Applicant registrations are associated with the state/territory/tribe in which the death occurred. Applicants may have multiple registrations in multiple states or territories.

Determining Award Amounts for COVID-19 Funeral Assistance

Eligible applicants may receive different Funeral Assistance award amounts. An applicant's award amount will depend on FEMA's determination of the applicant's unmet needs. Per FEMA's interim policy,

The total amount of burial or funeral insurance proceeds and/or any other forms of Funeral Assistance received from other sources will be deducted from the total actual cost of the funeral expenses incurred prior to FEMA awarding Funeral Assistance for any remaining unmet needs up to the Funeral Assistance award amount maximum.

A maximum award amount of \$9,000 has been established for each COVID-19-related funeral. An applicant may receive COVID-19 Funeral Assistance for multiple decedents up to the maximum amount of financial assistance for ONA for the year in which the major disaster for COVID-19 was declared (i.e., \$35,500 in FY2020). In addition to COVID-19 Funeral Assistance, up to \$1,800 provided through the Lost Wages Assistance program counts toward the ONA maximum award.

Applicants may appeal FEMA award decisions.

Application Deadlines

On February 9, 2023, the FEMA Administrator announced that on May 11, 2023, the agency will close the *incident periods* for all emergency and major disasters declared for the COVID-19 pandemic under the Stafford Act. FEMA guidance reports that the end of the incident period will not affect the application or eligibility for Funeral Assistance, and that "FEMA intends to continue providing COVID-19 Funeral Assistance through September 30, 2025, which is the date identified by Congress in the ARPA appropriation."

FEMA's "COVID-19 Funeral Assistance" website provides current program information; as of the date of publication, there is currently no application deadline for COVID-19 Funeral Assistance.

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