

CHAPTER 31
DISPOSITIONS INDEPENDENT OF LETTERS;
FAMILY EXEMPTIONS; PROBATE OF WILLS AND
GRANT OF LETTERS

A. Dispositions Independent of Letters

¶260. SECTION 3101. [PAYMENT OF WAGES, SALARY, VACATION BENEFITS TO FAMILY] *PAYMENTS TO FAMILY* {1976} AND *FUNERAL DIRECTORS* {1980}.—(a) *Wages, salary or employee benefits* {1980}.—Any employer of a person dying domiciled in [the] *this* {1980} Commonwealth at any time after the death of the employee, whether or not a personal representative has been appointed, may pay wages, salary or any [accrued vacation] *employee benefits* [or pension] {1976} due the deceased in an amount not exceeding [\$1,000] {1972} [\$2,000] {1974} [\$3,500] {1975} \$5,000 {1994} to the spouse, any child, the father or mother, or any sister or brother (preference being given in the order named) of the deceased employee. Any employer 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 he 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. Amended, L. 1974, Act No. 84, effective May 10, 1974; L. 1975, Act No. 168, effective December 19, 1975; L. 1976, Act No. 135, effective July 9, 1976; L. 1980, Act No. 118, effective September 9, 1980; amended, L. 1994, Act No. 102, effective January 30, 1995, and applicable to the estates of decedents dying on or after such date.

(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] {1980} \$3,500 {1993}, 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 fu-

neral 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. Added, L. 1980, Act No. 118, effective September 9, 1980; amended, L. 1993, Act No. 38, effective June 28, 1993.

(c) *[Payments to funeral directors]* {1980} *Patient's care account* {1982}.—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] {1980} \$3,500 {1993} whether or not a personal representative has been appointed. {1980} 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] {1982} \$4,000 {1993} 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. {1982} 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 {1980} or other person {1982} to whom payment is made shall be answerable therefor to anyone prejudiced by an improper distribution. Added, L. 1980, Act No. 118, effective September 9, 1980; amended, L. 1982, Act No. 26, effective February 18, 1982; amended, L. 1993, Act No. 38, effective June 28, 1993.

(d) *Life insurance payable to estate.*—Any insurance company which upon the death of an individual residing in this Commonwealth owes his estate a total amount of \$11,000 or less under any policy of life, endowment, accident or health insurance, or under any annuity or pure endowment contract, may at any time after 60 days following his death pay all or any part of that amount to the spouse, any child, the father or mother or any sister or brother of the decedent (preference being given in the order named) provided that at the time of the payment no written claim for that money has been received at the office of the company specified in the policy or contract for the receipt of claims from any duly appointed personal representative of the dece-