

# **Brown Township**

## **Delaware County Ohio**

Policy for Defining Indigent for Purposes of Burial  
at Township's Expense

### **Generally**

The purpose of this policy is to ensure compliance with Ohio Revised Code §9.15(C) which mandates that a township must cremate and/or bury a body at the township's expense when the body is unclaimed and is indigent and/or claimed by an indigent person. Ohio Revised Code §1713.34 also states that the Township can donate body for medical, surgical, or dissection study. Deceased must be found to be a legal resident of Brown Township, Delaware County, Ohio at the time of death. This policy provides guidelines intended for use by the Brown Township Board of Trustees when determining indigency status for the person claiming the body of a deceased person residing within the township. The guidelines below adhere to Ohio's indigency determination as set forth in Ohio Revised Code §9.15 and federal poverty threshold criterion. **Upon examination of the indigent person's application plus financial and familial data, the Board shall make a determination as to whether the claimant or deceased is indigent.** If the Application meets all requirements, Brown Township shall either cremate or donate the body of the indigent deceased; Brown Township shall pay for the costs attributed to cremation and/or burial as provided in the township's indigent burial policy, if applicable, and supply an appropriate marker with proper inscriptions as required by ORC §9.15. Township costs not to exceed \$2500.

### **Indigent Decedent/Unclaimed**

a deceased person who was a legal resident of the township at the time of death, and the person was not an inmate of a correctional, benevolent, or charitable institution of this state, and the body is not claimed by any person for private internment or cremation at the person's own expense or delivered for the purpose of medical or surgical study or dissection in accordance with §1713.34 of the Ohio revised code, and the person is determined to be indigent as described herein.

Ohio Revised Code §9.15 defines an "indigent person" as someone whose income does not exceed 150% of the federal poverty line as revised annually by the United States department of health and human services in accordance with section 673(2) of the Omnibus budget reconciliation act of 1981, as amended for a family size equal to the size of the person's family.

### **Indigent Claimant**

a person who claims the body of an indigent decedent and also claims he or she is indigent.

**Whereas:** The criteria used to evaluate indigence status shall include, but is not limited to, the income components as defined by the most recent version of the United States Census Bureau and any other relevant considerations concerning the financial condition of the individual, including but not limited to, fundraising revenue and/or insurance intended for Funeral, cremation, and/or burial expenses. Once the income information described herein has been verified, then the most

recent version of the United States Department of health and human services poverty guideline publication will be used to determine the persons income does or does not exceed 150% of the federal poverty line. In determining indigency, the wages or salary income earned by dependent minors under 18 years of age shall not be considered.

Pursuant to the Ohio revised code §517.06 and §9.15, the township shall provide a grave, a grave marker, and the opening and closing for internment of the cremation remains of any unclaimed or indigent person who was at the time of death a legal resident of the township. The township is not to pay for any other costs associated with embalming, Funeral, transportation, services of any kind, visitation charges, etc. Upon finding that the deceased was a legal resident of the Township and after verifying indigence of the deceased and/or the claimant of the deceased's body, if any, as described herein, the Township or his or her designee, shall authorize the funeral director to cremate or donate the body of the deceased. The Township can bury the indigent cremated remains or the cremated remains can be released to the family or loved ones. The Township will choose the funeral home to conduct the cremation and will enter into agreement with said funeral home for a specific price for the cremation of the remains of the deceased. The Township shall set aside a section of cemeteries where indigent cremations may be buried. The township shall also provide at the grave of the person's cremated remains, if such remains are buried, a metal, stone, or concrete marker on which the persons name and age, if known, and date of death shall be inscribed.

The Township requires a completed, notarized application by the deceased's representative and a funeral home representative; application included in this policy.

The Township may seek bids for the cost of cremation from more than one funeral home.

The Township may select the funeral home that will provide the cremation service.

### **Limitations**

**The Township shall not be responsible for burying or cremating any body found within Brown Township which is claimed by a person not found to be indigent. All expenses made by a non-indigent claimant shall be paid for by the claimant. When the claimant is determined to be indigent, the manner of donation, cremation, burial, and aspects thereof shall be solely the decision of Brown Township and in accordance with Ohio Revised Code §9.15.** An indigent person claiming a body may not make independent funeral arrangements and have the bill submitted to the Township. Should this occur, the Township is not liable for costs under these circumstances.

**Whereas:** Ohio Revised Code §1713.34 and §9.15 indicate that the Township Board of Trustees may deliver the body to a college or board of embalmers and funeral directors in lieu of cremation or burial. The township trustees reserve the right to donate a deceased person's body for this purpose.

**Veteran Indigent**

If an indigent is a veteran, the Township may contact family or friends and assist them in applying to Delaware County for an appropriate burial or cremation in accordance with Revised Code §5901.25 to §5901.32.

**Public Records Notification**

Some of the records submitted by claimants, as part of the indigency determination process, may be confidential and not a public record under applicable State and Federal Law. Brown Township will consult with legal counsel prior to releasing any such documents to third parties.

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## Burial at Brown Township's Expense

### APPLICANT INFORMATION

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Age: \_\_\_\_\_ *Please provide written documentation of age, such as a driver's license.*

Size of Household: \_\_\_\_\_

Age(s) of Number in Household:  
\_\_\_\_\_

### INCOME DOCUMENTATION

**Household Income Source(s):** *Please attach to this application documentation of each income source, including SS or Medicare cards, pay stubs, income tax returns, and such.\*\**

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

\_\_\_\_\_ monthly / yearly amount \$ \_\_\_\_\_  
(Income Source) (Circle One)

### **\*\*For Office Use\*\***

Application filed on: \_\_\_\_\_ Received by: \_\_\_\_\_  
(Date Filed) (Township Personnel Receiving Application)

Documentation of income attached: Yes or No  
Board of Trustees meeting when considered: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_  
(Date) (Date)