



DEPARTMENT OF COMMUNITY SUPPORT SERVICES

DIVISION OF SOCIAL SERVICES

Program:	Indigent Burial and Cremation	Effective Date:	
Item:	Eligibility and Services	Revisions:	2/8/10;
Policy #:	IBC - 01		10/1/10; 4/11/18;

AUTHORITY: Florida Statute Chapter 406, Alachua County Board of County Commissioners, Alachua County Department of Community Support Services, and the Division of Social Services.

POLICY: Florida Statute, Chapter 406 mandates that the county in which a death occurs be the county of responsibility for the disposition of indigent unclaimed or unknown bodies.

Alachua County has adopted a "Cremation Only Policy" which means that such service shall be through the use of cremation, except where prohibited by law or regulations and/or the identity of the decedent is unknown. This allows for the body to be exhumed if necessary for future identification. Pertaining to the provision of services, Alachua County will only authorize payments to contracted funeral homes, not to exceed the current established rate*.

GOAL: The goal of the Indigent Burial and Cremation program is to provide a dignified burial or cremation of decedents who die in Alachua County.

PROCESS

The Alachua County Division of Social Services (ACDSS) coordinates and determines eligibility for the Indigent Burial and Cremation Program. The Division of Social Services shall make reasonable efforts to: (1) determine the identity of unknown persons; and (2) locate relatives of the decedent. Alachua County will only authorize payment for bodies of persons who die in Alachua County unless waived by the Community Support Services Director or designee

DEFINITIONS

Decedent: A person who is no longer living; a deceased person.

Claimed Body: The identification of the deceased body has been established by a relative, friend, legal representative, nursing home, medical examiner, or other entity. Additionally, they assume financial responsibility for the decedent's internment. Nothing in this policy or in the procedures promulgated hereunder shall prevent relatives or others from taking financial responsibility for a body at any time.

Legally Authorized Person: Per the 2016 Florida Statutes, in the priority listed below:

- (a) The decedent, when written inter vivos authorizations and directions are provided by the decedent;
- (b) The person designated by the decedent as authorized to direct disposition pursuant to Pub. L. No. 109-163, s. 564, as listed on the decedent's United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, if the decedent died while in military service as described in 10 U.S.C. s. 1481(a)(1)-(8) in any branch of the United States Armed Forces, United States Reserve Forces, or National Guard;



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- (c) The surviving spouse, unless the spouse has been arrested for committing against the deceased an act of domestic violence as defined in s. 741.28 that resulted in or contributed to the death of the deceased;
- (d) A son or daughter who is 18 years of age or older;
- (e) A parent;
- (f) A brother or sister who is 18 years of age or older;
- (g) A grandchild who is 18 years of age or older;
- (h) A grandparent; or
- (i) Any person in the next degree of kinship.

In addition, the term may include, if no family member exists or is available, the guardian of the dead person at the time of death; the personal representative of the deceased; the attorney in fact of the dead person at the time of death; the health surrogate of the dead person at the time of death; a public health officer; the medical examiner, county commission, or administrator acting under part II of chapter 406 or other public administrator; a representative of a nursing home or other health care institution in charge of final disposition; or a friend or other person not listed in this subsection who is willing to assume the responsibility as the legally authorized person. Where there is a person in any priority class listed in this subsection, the funeral establishment shall rely upon the authorization of any one legally authorized person of that class if that person represents that she or he is not aware of any objection to the cremation of the deceased's human remains by others in the same class of the person making the representation or of any person in a higher priority class.

Unclaimed Body: Refusal to take possession - the identification of the deceased body has been established, but no one has come forth to take possession of and assume financial responsibility for internment of the decedent. The decedent will be cremated at the expense of the county. The County does not have the authority to release the personal possessions of the deceased to any individual or organization.

Exception: Should a legally authorized person be willing to sign the authorization for cremation, while unable to accept financial responsibility, they will be permitted to do so.

Unknown Body: The identification of the deceased body has not been established.

Section A: Accessibility

Referrals for services will be made to the Division of Social Services. Legally authorized persons may request services without referral. The County is not permitted to enter into pre-need burial/cremation services.

Section B: Diligent Search

ACDSS Staff will make a reasonable effort to contact relatives of the deceased. In order to assure a timely disposition, the search will conclude within ten (10) working days of the initial request for burial/cremation assistance. The search will include, but not be limited to, such efforts as listed below:



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- Contact with law enforcement agencies
- Contact with the Social Security Office
- Contact with Veteran Services
- Use of Accurint or the internet to search public record sites and other “people-finder” sites
- Attempt to contact neighbors, landlords, and employers who might have knowledge pertaining to the location of relatives.

If law enforcement, the Medical Examiner’s office, the funeral home, nursing home or such entity has information on the deceased or family members, ACDSS does not have to duplicate efforts if that information is provided orally or in writing.

Section C: Eligibility

A face-to-face interview is preferable when coordinating final disposition arrangements. However, under certain circumstances, such as when the legally authorized person is long-distance or physically unable to come or when the representative is a funeral home, hospital, nursing home, or other entity, arrangements can be made by conducting a telephone interview.

Applicant must meet Core Eligibility Requirements:

- a. Release of information - cooperation by the applicant in providing all relevant information concerning the decedent to allow verification of such information as deemed necessary to establish eligibility for services.
- b. Identification - per policy #C01, Core Eligibility Requirements. Verification of the deceased’s identity must be included in the client record. If no verification of identity can be provided, staff must document who provided the information and how it was obtained.
- c. Residency - Alachua County residency is not relevant, only that the death occurred in Alachua County. This may be verified by the death certificate, nursing home, funeral home, medical examiner or any other knowledgeable source. Alachua County residents expiring in another county, state or country are ineligible for burial/cremation assistance.

Per Florida statute, unknown, unclaimed, or indigent Alachua County residents expiring in another Florida county shall be the financial responsibility of the county in which the deceased expired. ACDSS does not pay to transport decedents to Alachua County.

- d. Income - using the Core Eligibility Requirements (#C01), income eligibility is determined using on the 150% of the Federal Income Guidelines based on one of the household composition categories below:



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- Individual income for a deceased unmarried adult
- Family unit income for a deceased married adult and spouse
- Family unit income for a deceased dependent child under the age of 18

If a decedent is married but separated, staff will attempt to contact the spouse to inquire if he/she is willing to pay for the cost of burial/cremation. If the spouse is unwilling to assume this responsibility, the decedent will be considered unmarried, unclaimed, and processed accordingly.

e. Assets - as defined in policy #C01, Core Eligibility Requirements. The deceased's or family unit's total assets cannot exceed the equivalent of the County's cost for burial/cremation services. If assets are less than the County's cost for burial/cremation services and are accessible, the County will pay the balance of the disposition cost. Assets may not be used to upgrade the service to exceed the County's cost for burial or cremation.

Section D: Disqualifiers and Assistance Exceptions

When it has been identified that the deceased individual had death benefits, life insurance, or there are other funds that can be used towards the cost of the burial/cremation, request for assistance may be denied or limited.

Death Benefits - if the deceased is eligible for death benefits, such as Social Security, Railroad Retirement, Union Death Benefits, Victim Services, or Veteran Death Benefits, the County will either pay the balance after the death benefits have been applied or seek reimbursement, up to the maximum amount of the burial or cremation cost. If the death benefits exceed or are equal to the County's cost, the county will not accept the case.

Insurance: The County will not accept a case if death benefits from insurance, donations, or other funds are equal to or exceed County indigent cremation/burial payments.

Inpatient Accounts: If death occurs while the deceased is a patient in a nursing home or other type of care facility, the County shall request that the nursing home or facility notify Social Services of any funds, which may have accumulated in the patient's account. The County shall consider such funds in assessing the indigence of the deceased. If the funds are less than the eligible costs of cremation/burial, the County will pay the difference between the funds available and the eligible costs. If the funds are equal to or greater than the eligible costs of cremation/burial, the County will not accept the case.

Section E: Body Disposition

Burial/Cremation - ACDSS offers burial and cremation services for the deceased as outlined in the funeral home/crematorium contract. All decedents, with exception of those that meet burial criteria, will be cremated upon final disposition from the Anatomical Board and/or Medical Examiner's Office. ACDSS will approve this service as provided by the contracted funeral



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home.

Anatomical Board - Unclaimed bodies meeting the requirements of the Anatomical Board of the State of Florida shall be offered to the Anatomical Board as required by Florida Statute, Chapter 406, and will become the responsibility of the State Anatomical Board for disposition.

Per the written agreement, contracted providers will be compensated for the preparation and transportation of those bodies accepted under the criteria of the Anatomical Board or upon prearrangement of the decedent.

All bodies, except for unknown and unclaimed, will be considered for cremation unless otherwise directed by the Medical Examiner's Office or a legally authorized person has authorized cremation without taking financial responsibility.

In cases where the relatives of the deceased oppose cremation, they will be allowed to pay the County's contracted funeral home directly for the additional cost incurred for the burial. The County will provide financial assistance towards the eligible burial costs; not to exceed the payment equivalent for cremation (per current established rate*). Upon receipt of the contracted funeral home's invoice, the County will remit their portion of the payment. The County will not assume responsibility for balances or payment arrangements beyond the aforementioned rate.

Occasionally, there may be a need to make special arrangements to dispose of the deceased body – which will result in additional fees. Examples of special arrangements may include, but are not limited to special size casket or burial plot to accommodate the deceased body.

Section F: Veteran of Armed Forces

The County shall determine if the deceased is eligible for burial in a national cemetery by contacting the County Veteran Service office or the Regional office of the U.S.

Staff will contact the Division of Veteran's Services to obtain any information that identifies the deceased as a veteran. ACDSS will notify the funeral home regarding veteran status. The funeral home will be required to submit a request to the Veterans Administration for reimbursement via the VA Burial Benefit for all veterans eligible for same. The County will supplement this if it does not cover the entire cost of the burial/cremation up to the established amount. If the VA claim is denied, the County will pay the entire contracted amount. Military veterans eligible under the Veterans Administration Program (VA) are excluded from County coverage. Examples are as follows:

Unclaimed Bodies - the VA may pay burial entitlements for certain indigent deceased veterans whose unclaimed remains are held by a state or political subdivision. The VA also has provisions for burial of the unclaimed bodies of veterans whose death occurs in a VA facility.

If a veteran dies while in a VA facility or contract nursing home, or while receiving VA pension, an allowance may be paid to defray the cost of funeral and burial expenses.



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Burials in a national cemetery (nearest to the county: Bushnell) are authorized for any veteran whose active duty service was terminated by a discharge under conditions other than dishonorable. Dependents, widowed surviving spouses and minor children, may also be eligible for burial in a national cemetery under certain conditions.

Per the written agreement, contracted funeral homes will be compensated for the preparation and transportation of eligible indigent veterans to Bushnell National Cemetery.

The Cremation Preference Policy does not apply to veterans who are being buried at a national cemetery.

Section G: Vendors

The County has entered into contract with specific vendor(s) to provide disposition services. Contract(s) and prices are reviewed on a periodic basis.

Funeral Homes/Crematoriums

Only contracted funeral homes are eligible for payment by the County. If a non-contracted provider is selected, the body will be released to that funeral home and no charge will be made by the County's contract provider. Only those funeral homes/crematoriums which have written agreements with Alachua County are to be utilized. Payment will not be authorized for a burial or cremation that was conducted by a funeral home/crematorium that does not have a written agreement with Alachua County.

If a non-contracted funeral home is in possession of an indigent body and is requesting service from ACDSS, that funeral home must make arrangements to transport the body to a County contracted funeral home. Alachua County does not pay for this transport. Additionally, a funeral home/crematorium will only be paid for the services that are listed in the written agreement. For instance, a funeral home that is contracted to only provide cremations will not be reimbursed for a burial.

Staff will complete an approval form for payment which is made to the contracted funeral home/crematorium in accordance with the written agreement with Alachua County.

Funeral homes/crematoriums are not permitted to accept funds from family members and/or friends to upgrade services.

Cemeteries

If grave space is needed, arrangements are made with the City of Gainesville's Evergreen Cemetery and burial takes place on adjacent land that is leased from the State of Florida. The City Parks Superintendent is contacted by telephone and arrangements are made for interment. To confirm approval, a form letter is sent to the City Parks Superintendent.

The City of Gainesville will send ACDSS an invoice for the cost of opening and closing the grave. Payment will be made to the City of Gainesville in accordance with the contract.



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Alachua County does not pay for markers or for the removal of unauthorized markers. Family members may purchase permanent markers (headstones) for the grave site. The only authorized headstone in Evergreen Cemetery is an 8" x 16" beveled granite marker available at O.T. Davis. An exception is made for headstones provided by the Veteran's Administration for deceased veterans. The family may not upgrade the headstone provided by the VA.

Disinterment

Relatives requesting disinterment for a burial authorized by Alachua County will pay all fees to cover all costs associated with said removal.

Section H: Payment

Vendors will be responsible for submitting invoices for services rendered. Alachua County assumes no responsibility for incurred expenses of any kind beyond the allowable payment. Maximum burial or cremation payment is based on the current established rate*. Payment is made by mail directly to the contracted funeral home(s).

Excluded Charges

- Burial or cremation costs exceeding the current established rate* for cremations.
- The County does not make arrangements for pre-need burial or cremation services.
- The County does not pay for any burial/cremation after-the-fact.

* Current established rate is defined as the pricing identified in the contract between Alachua County and contracted funeral home(s) at the time of requested services.

OTHER

- The Department Director or his/her designee (Assistant Department Directors; Social Services Director, or the Senior Social Services Coordinator) reserves the right to prioritize assistance as (s)he deems appropriate. The Department Director or his/her designee may also override established thresholds pertaining to the amount paid, the duration of payments issued on behalf of the applicant, the maximum time period and/or any other unspecified circumstance that may arise.

PROCEDURES

DSS procedures will be part of the DSS training guide. The Division of Social Services will maintain internal operational procedures for implementation of this administrative policy and for working with families, funeral homes, other Alachua County Departments, state and local agencies, and other interested persons.

Approved: _____



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Department Director

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