

Indigent Burial Policy

Purpose:

The Board of Trustees of Canaan Township recognizes its legal duty to provide for indigent burials. The purpose of this policy is to ensure compliance with Ohio Revised Code § 9.15, and to provide appropriate burial arrangements for the bodies of deceased persons found within the township who are determined to be unclaimed indigent residents of the township, or when the body is claimed by an indigent person.

Determination of Indigency of Deceased:

In making a determination of the indigency of the deceased person, the Canaan Township Board of Trustees shall consider the following elements:

1. The ready availability of real or personal property of the decedent, which if sold, would provide sufficient funds for the person's burial;
2. Any employment death benefits, pensions, annuities, social security, unemployment compensation, life insurance proceeds made payable to decedent's estate, cash on hand or other financial resources available to decedent;
3. Inheritance, number and ages of dependents, outstanding debts, obligations and liabilities; and
4. Any relevant facts concerning the financial means of the decedent.

Determination of Indigency of Claiming Party:

When determining the indigency status of the person claiming the deceased's body, Canaan Township Board of Trustees shall consider ORC 9.15(c) which defines "indigent person" as someone whose income does not exceed 150% of the federal poverty line for a family size equal to the size of the person's family.

Determination of Residency:

The Board of Trustees recognize there is no statutory definition of residency, therefore, Canaan Township shall consider a person to be a resident of the township if the person at the time of death, had a physical presence in the township, coupled with the choice and intent to make the township the place of the person's permanent residence.

Provisions for Burials:

The Board of Trustees of Canaan Township will provide for indigent burials as follows:

1. The disposition and interment of the body shall be made at Canaan Township's discretion, without showing or calling hours, or interment ceremony at the grave site.
2. Canaan Township will provide a suitable grave plot in a township cemetery for interment of the decedent's remains.
3. Canaan Township will provide an appropriate grave marker with proper inscriptions as required by ORC § 9.15, including the decedent's name, age and the date of death.
4. Before any payments are made pursuant to this policy, the funeral director is required to submit the following to the Cemetery Sexton:
 - (a) A statement of the amount requested to be paid by Canaan Township
 - (b) Certified copy of the death certificate
 - (c) Copy of the cremation permit
 - (d) Application for Indigent Burial Funds completed and notarized by the deceased's representative and funeral home representative for the purpose of determining whether the deceased qualifies to be disposed of and interred at Canaan Township's expense pursuant to ORC § 9.15.

Limitations:

1. Canaan Township shall not be responsible for burying or cremating any body found within Canaan Township, which is claimed by a responsible person not found to be indigent.
2. 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 cremation, burial, and aspects thereof shall be solely the decision of Canaan Township and in accordance with ORC § 9.15.
3. An indigent person claiming a body may not make independent funeral arrangements and have the bill submitted to Canaan Township. Should this occur, Canaan Township is not liable for costs under these circumstances.

4. Should it be ascertained, after payment by Canaan Township, that such payment was made for a decedent whom Canaan Township did not have responsibility to cremate or bury pursuant to ORC § 9.15, Canaan Township shall be entitled to any benefits payable on behalf of such decedent by any person or agency who had the responsibility to pay burial benefits pursuant to ORC § 9.15, up to an amount totaling the payment made, plus the fees for the grave plot and the opening and closing.

Adopted this __7th__ day of __December__, 2015.

BY ORDER OF THE BOARD OF TRUSTEES
CANAAN TOWNSHIP

Attest Fiscal Officer
