

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY: Human Services	CODE NUMBER: AC-15-7
TITLE: Indigent Cremation/Burial Policy	ADOPTED: 2-10-04
	AMENDED:
	ORIGINATING DEPARTMENT: Human Services

PURPOSE/SCOPE:

The purpose is to officially delegate to the Director of Human Services, or his/her designee, the Board's authority to cremate or bury unclaimed or indigent bodies with respect to Florida Statutes 406.52.

POLICY/PROCEDURE:

- A) **PURPOSE:** To assure compliance with Florida Statute 406 (formerly 245) regarding the state's mandate that each county, through their Board of County Commissioners, assume financial responsibility for the disposition of unclaimed or indigent bodies that die within the confines of their county.
- B) **ADMINISTRATION:** The Lee County Board of County Commissioners has delegated administration of this program to the Department of Human Services. Human Services will make every effort to ensure that this program not only complies with applicable Florida law but also operates in a cost-effective and dignified manner.
- C) **ELIGIBILITY:** Any person who expires within the confines of Lee County, whether resident or non-resident, is potentially eligible. Lee County residents who expire outside the confines of Lee County become the financial responsibility of the county in which they died.
- D) **DEFINITIONS:** The statute does not define either "unclaimed" or "indigent". Lee County has determined the following definitions for unclaimed and indigent bodies.
 - (1) Unclaimed. A body is considered unclaimed when:
 - (a) The body is unidentified.
 - (b) The body has been identified but no legally authorized person (as defined in 470.002) can be found to participate in the final disposition of the body.
 - (c) One or more legally authorized persons, having been contacted, will either not claim the body for burial or will not authorize cremation.

AC-15-7 (Continued)

- (2) Indigent. A body is considered indigent when one or more legally authorized persons are willing to either authorize cremation or claim the body for burial, but lack sufficient resources to provide either.

E) POLICY: The policy for disposing of bodies at Lee County's expense will be:

- (1) Unclaimed bodies
 - (a) Veteran – In accordance with Statute 406.50 and 38 C.F.R., Lee County will provide burial or inurnment at a national cemetery for an eligible veteran.
 - (b) If suitable, Lee County will transfer the body to the Anatomical Board or research facility as designated in Statute 406.50.
 - (c) If the body is ineligible for either of the above and the Medical Examiner's office has not requested otherwise, the Director of Human Services, or his/her designee, will authorize cremation. The remains will be held by the contracted funeral home for 120 days and, if not claimed by a legally authorized person, will be disposed of by the funeral home in compliance with Statute 470.0255.
- (2) Indigent bodies
 - (a) Veteran - A legally authorized person may request burial or inurnment at a national cemetery for an eligible veteran. Lee County will not provide veteran burial or inurnment locally if eligible for a national cemetery.
 - (b) A legally authorized person may request transfer to the Anatomical Board or research facility as designated in Statute 406.50.
 - (c) A legally authorized person may authorize direct (no viewing, no service) cremation through the county's contracted funeral home and may receive the cremated remains in accordance with Statute 470.0255.
 - (d) A legally authorized person may claim the body for burial. The county will pay the current contracted amount for cremation toward a direct (no viewing, no service) burial with the contracted funeral home. No payments will be made to any party other than the county contracted funeral home.
- (3) The county does not provide a funeral service or financial assistance toward a funeral service. Upgrades to the county's arrangements with the contracted funeral home are not permitted.
- (4) Should unusual or special circumstances warrant, alternatives other than the above may be authorized by the Department Director or designee.

F) PROCEDURES: The Department of Human Services will be responsible for the implementation of the Indigent Cremation/Burial Program. Procedures detailing the implementation of the program are the responsibility of the Department.