

**Policy for Defining Indigency of Claimant for Purposes of Burial at Township's Expense
And Burial at Township's Expense of an Unclaimed Deceased Township Resident**

Generally:

This policy provides guidelines intended for use by the Plain Township Board of Trustees, Stark County, Ohio when determining the appropriate means and method for burial of an unclaimed deceased township resident, and the indigency status for the person claiming the body of a deceased person residing within the township at the time of death. The guidelines below adhere to Ohio's Indigency determination as set forth in ORC §9.15 and federal poverty threshold criterion.

1. **Unclaimed Deceased Township Resident:** When the body of a dead person is found in Plain Township, and the decedent was not an inmate of a correctional, benevolent, or charitable institution of this state, and the deceased's body is not claimed by any person for private interment or cremation at the claimant's own expense, or delivered for the purpose of medical or surgical study or dissection in accordance with section 1713.34 of the Revised Code, and the deceased is a legal resident of Stark County, Plain Township shall cause the deceased to be buried or cremated at the expense of Plain Township, provided the decedent had a legal residence at the time of death in Plain Township, Stark County, Ohio.(ORC §915(A).

Plain Township has the right to complete a full investigation into the decedent's background to determine "Next of Kin" and scope of the decedent's estate before burial or cremation arrangements will be initiated.

2. **Indigency of Claimant:** Plain Township must bury or cremate a body at the township's expense when the body is claimed by an indigent person. ORC §9.15(C) defines "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," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family. The decedent must have been a legal resident at the time of death of Plain Township, Stark County, Ohio.

Upon examination of the indigent person's financial and familial data (in conformance with the guidelines below), the Cemetery Sexton shall decide as to whether the claimant is indigent. 1) If the Application meets all requirements, and it is determined the deceased does not have sufficient assets to pay for cremation or burial, then Plain Township shall cremate the body of the deceased; 2) If the Application meets all requirements, and the body of the indigent deceased is claimed for purpose of private burial and the claimant attests in writing that he/she would be solely responsible for and would pay all costs associated with burial of the indigent deceased, but is unable, for wants of means, Plain Township shall pay for the costs attributed to cremation and shall supply an appropriate marker with proper inscriptions as required by ORC §9.15.

Claimant's Indigency Status:

When determining the indigency status of the person claiming the deceased's body, the Board of Trustees of Plain Township shall consider gross income of all household members, minus the wage or salary income earned by dependent minors under 18 years of age.

Gross income includes:

Wages and earnings from employment, interest, annuities, pensions, Social Security, retirement, employment disability, public assistance, Supplemental Security Income, alimony, child support, unemployment benefits, Workers' Compensation, and any other indirect income.

- Do not incorporate noncash benefits, i.e. food stamps and housing subsidies, or capital gains and losses.
- Calculate wages before taxes.

The definitions set forth in Attachment A apply to this policy.

Claimant shall provide Plain Township with the number and age of claimant's dependents.

Claimant shall provide documentation of income.

Limitations:

The Township shall not be responsible for burying or cremating any body found within Plain Township which is claimed by a person not found to be indigent.

All expenses incurred 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 Plain Township and in accordance with ORC §9.15.

An indigent person claiming a body may not make independent funeral arrangements and have the bill submitted to Plain Township. Should this occur, Plain Township is not liable for costs under these circumstances.

This policy shall not be interpreted to prohibit the Board of Trustees of Plain Township, Stark County, Ohio from pursuing a claim for costs expended pursuant to this policy against the estate of a decedent, executor, administrator and/or next of kin should the financial condition of the claimant or deceased's estate become known after burial or cremation.

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. Plain Township will consult with legal counsel prior to releasing any such document to third parties.

Attachment A

Definitions-The following definitions are taken from the US Census Bureau

Household

A household consists of all the people who occupy a housing unit. A house, an apartment or other group of rooms, or a single room is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live and eat with any other persons in the structure and there is direct access from the outside or through a common hall. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit.

Household Size of

The term “size of household” includes all the people occupying a housing unit. “Size of family” includes the family householder and all other people in the living quarters who are related to the householder by birth, marriage, or adoption. “Size of related subfamily” includes the husband and wife or the lone parent and their never-married sons and daughters under 18 years of age. If a family has a related subfamily among its members, the size of the family includes members of the related subfamily.

Income

1. Earnings (wages, salaries, and self-employment income)
2. Unemployment compensation
3. Workers’ compensation
4. Social security
5. Supplemental security income
6. Public assistance
7. Veterans’ payments
8. Survivor benefits
9. Disability benefits
10. Pension or retirement income
11. Interest
12. Dividends
13. Rents, royalties, and estates and trusts
14. Educational assistance
15. Alimony
16. Child Support
17. Financial assistance from outside of the household
18. Other income

Income does not include the following:

1. Noncash benefits such as food stamps and housing subsidies)
2. Capital gains or losses

Earnings

The Census Bureau classifies earnings from longest job (or self-employment) and other employment earnings into three types:

- 1.) Money, wage, or salary income is the total income people receive for work performed as an employee during the income year. This category includes wages, salary, armed forces pay, commissions, tips, piece-rate payments, and cash bonuses earned, before deductions are made for items such as taxes, bonds, pension, and union dues.
- 2.) Net income from nonfarm self-employment is the net money income (gross receipts minus expenses) from one's own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include items such as costs of goods purchased, rent, heat, power, depreciation charges, wages and salaries paid, and business taxes (not personal income taxes). In general, the Census Bureau considers inventory changes in determining net income from nonfarm self-employment; replies based on income tax returns or other official records do reflect inventory changes. However, when respondents do not report values of inventory changes, interviewers will accept net income figures exclusive of inventory changes. The Census Bureau does not include the value of saleable merchandise consumed by the proprietor of retail stores as part of net income.
- 3.) Net income from farm self-employment is the net money income (gross receipts minus operating expenses) from the operation of a farm by a person on their own account as an owner, renter, or sharecropper. Gross receipts include the value of all products sold, payment from government farm programs, money received from the rental of farm equipment to others, rent received from farm property if payment is made based on a percent of crops produced and incidental receipts from the sale of items such as wood, sand, and gravel. Operating expenses include items such as cost of feed, fertilizer, seed, and other farming supplies; cash wages paid to farmhands; depreciation charges; cash rent; interest on farm mortgages; farm building repairs; and farm taxes (not state and federal personal income taxes). The Census Bureau considers inventory changes in determining net income only when they are accounted for in replies based on income tax returns or other official records which reflect inventory changes; otherwise, the Census Bureau does not take inventory changes into account.

Unemployment Compensation

Includes payments the respondent received from government unemployment agencies or private companies during period of unemployment and any strike benefits the respondent received from union funds.

Workers' Compensation

Includes payments people receive periodically from public or private insurance companies for injuries received at work.

Social Security

Includes social security pensions and survivors' benefits and permanent disability insurance payments made by the Social Security Administration prior to deductions for medical insurance.

Supplemental Security Income

Includes federal, state, and local welfare agency payments to low-income people who are 65 years old or over or people of any age who are blind or disabled.

Public Assistance or Welfare Payments

Includes cash public assistance payments low-income people receive, such as aid to families with dependent children (AFDC, ADC), temporary assistance to needy families (TANF), general assistance, and emergency assistance.

Veterans' Payments

Include payments disabled members of the armed forces or survivors of deceased veterans receive periodically from the Department of Veterans Affairs for education, on-the-job training, and means-tested assistance to veterans.

Survivor Benefits

Include payments people receive from survivors; or widows; pensions, estates, trusts, annuities, or any other types of survivor benefits. Respondents can report payments from ten different sources: private companies or unions; federal government (Civil Service); military; state or local governments; railroad retirement; workers' compensation; Black lung payments; estates and trusts; annuities or paid-up insurance policies; and other survivor payments.

Disability Benefits

Include payments people receive as a result of a health problem or disability (other than those from social security). Respondents can report payments from ten sources: workers' compensation; companies or unions; federal government (Civil Service); military; state or local governments; railroad retirement; accident or disability insurance; Black lung payments; state temporary sickness; or other disability payments.

Pension or Retirement

Includes payments people receive from eight sources: companies or unions; federal government (Civil Service); military; state or local governments; railroad retirement; annuities or paid-up insurance policies; individual retirement accounts (IRAs), Keogh, or 401(k) payments; or other retirement income.

Interest

Includes payments people receive (or have credited to accounts) from bonds, treasury notes, IRAs, certificates of deposit, interest-bearing savings and checking accounts, and all other investments that pay interest.

Dividends

Includes income people receive from stock holdings and mutual fund shares. Does not include capital gains from the sale of stock holdings as income.

Rents, Royalties, and Estates and Trusts

Includes the net income people receive from the rental of a house, store, or other property, receipts from boarders or lodgers, net royalty income, and periodic payments from estate or trust fund.

Educational Assistance

Includes Pell Grants; other government educational assistance; any scholarships or grants; or financial assistance students receive from employers, friends, or relatives not residing in the student's household.

Child Support

Includes all periodic payments a parent receives from an absent parent for the support of children, even if these payments are made through a state or local government office.

Alimony

Includes all periodic payment people receive from ex-spouses. Alimony excludes one-time property settlements.

Financial Assistance from Outside of Household

Includes periodic payment people receive from non-household members. This type of assistance excludes gifts or sporadic assistance.

Other Income

Includes all other payments people receive regularly that are not included elsewhere on the questionnaire. Some examples are state programs such as foster child payments, military family allotments, and income received from foreign government pensions.



Application for Burial at Plain 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, (see attached definition of income).*

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)

_____ monthly/year amount \$ _____

(Income Source)

(Circle One)



****For Office Use****

Application filed on: _____ Received by: _____
(Date Filed) (Plain Township Cemetery Sexton)

Documentation of income attached: Yes No
(Circle One)

Approved: _____ Denied: _____
(Date) (Date)

Indigent Burial Application Form

DECEASED INFORMATION

I hereby swear that the following information about the deceased is true:

Date of Application: _____

Name of Deceased: _____ Date of Death: _____

Deceased Address (at time of death): _____

Deceased Date of Birth: _____

Record of Marriage (If separated, how long?): _____

Social Security Number : _____ (If no social security number, name place of birth)

Father's Name: _____ Mother's Maiden Name: _____

Deceased Place of Occupation (at time of death): _____

Level of Education: _____

Deceased Military Service (if applicable): _____

Did the Deceased Have Life Insurance (at time of death)? _____ Yes _____ No

If yes, through which company? _____

List any other assets of the Deceased (at time of death): _____

Did the Deceased Have a Bank Account (at time of death)? _____ Yes _____ No

If yes, where? _____

Did the Deceased Have Any Other Income (at time of death)? _____ Yes _____ No

If yes, please list: _____

Deceased Next of Kin (Name): _____

Relation to Deceased: _____



FUNERAL HOME INFORMATION

Name of Funeral Home: _____

Contact Person: _____ Telephone Number: _____



APPLICANT'S INFORMATION

Print Name: _____ Telephone Number: _____

Address: _____

Applicant's Signature: _____