

Carbon County
Unclaimed & Indigent Burial and Cremation Policy



1. Authority: Pursuant to W.S. § 19-14-101, the County Commissioners are responsible for the costs of burial or cremation of indigent veterans who have not been dishonorably discharged, and who served on behalf of the United States during any conflict or war. The County Commissioners are also responsible, as per W.S. § 18-3-504(c), for burial or cremation of other indigent persons who were not receiving certain public benefits. As per W.S. § 42-2-103(c) the State of Wyoming Department of Family Services is responsible for burial or cremation of those indigent persons receiving aid under POWER (Person Opportunities With Employment Responsibilities) program, SSI (Supplemental Security Income) or Medicaid. Pursuant to W.S. § 7-4-104(a)(i)(K), a case involving an unanticipated death where the identity of the victim is unknown or the body is unclaimed, is a coroner's case, and under W.S. § 7-4-207(a), when the coroner investigates the death of a person whose body is not claimed by a friend or relative within five days of the date of discovery and whose death does not require further investigation, he shall cause the body to be decently buried. The expense of the burial shall be paid from any property found with the body. If no property is found, the expense of the burial shall be paid by the county in which the investigation occurs.

2. Initial Determination of Eligibility: The family or friends, as claimant for the deceased, or the funeral home as their representative, shall be responsible for discovering whether the decedent was indigent at the time of death, or a recipient of the public benefits named above. Failure to diligently pursue information regarding indigency will result in refusal of payment by the County.

3. Veterans:

A. Any veteran who was not dishonorably discharged and who served during a war or conflict (as defined in Title 38, United States Code, section 101) on behalf of the United States, and who dies leaving insufficient funds to defray the necessary funeral expenses, is eligible for preparation of the body and transmittal to and interment in the Oregon Trail State Veterans' Cemetery in Evansville, Natrona County, Wyoming at 89 Cemetery Road, Evansville, WY 82636.

B. The amount expended for preparation of the body shall not exceed one thousand eight hundred dollars (\$1,500.00). The amount expended for the transportation of the body shall not exceed five hundred dollars (\$500.00)

C. Pursuant to W.S. § 19-14-101(c)(i), the claimant for the deceased, or funeral home as their representative, shall assemble and provide a complete record of all the facts relating to any veteran of the armed forces of the United States who is buried or cremated as per this policy, and shall submit the record to the County Coroner, who shall keep a complete record of all such facts. The County Coroner on behalf of the County Commission, will be responsible for verifying the veteran status by established procedure.

D. If a veteran was also in receipt of the public benefits named in paragraph 1 above at the time of death, the County shall assume responsibility for costs for interment in the Veterans' Cemetery.

4. Non-Veteran Indigents:

A. After the responsible party named in Section 2 above determines that a decedent was not receiving POWER assistance, SSI income, or Medicaid under the Wyoming Public Assistance and Social Services Act at the time of death, and that the decedent was without sufficient means in his own estate or other resources to provide burial or cremation, arrangements may be made for burial or cremation at the County's expense.

B. The total cost to the County of such burial or cremation shall not exceed one thousand eight hundred dollars (\$1,500.00).

C. If the body is claimed by a friend, relative, or other person, and the decedent is not determined indigent, that person shall be responsible for burial or cremation at the rates charged by the funeral home in non-indigent cases.

D. If no property is found with the body, and no other estate or resources as listed on the application exist against which the responsible party or funeral home may make a claim, the responsible party or funeral home may then file an application for payment by the County, by submitting an itemized invoice or accounting and a sworn affidavit stating that diligent inquiry was made regarding potential property, assets, or funding.

E. If the Board of County Commissioners finds that no other means of payment are available, they may authorize payment to the funeral home, not to exceed \$1,500.00. Any available funding resources as listed on the application will be deducted from the payment amount, and the funeral home may seek reimbursement in that amount from the estate.

F. Carbon County has arranged public locations for interment of unclaimed remains, and is not responsible for interment or costs thereof, for non-veterans at any other location.

5. Non-veteran Unclaimed: If no one claims a body, or if the body remains unidentified, the expense of burial or cremation shall be paid from any property found with the body, as per W.S. § 7-4-207(a), and by the County in which the jurisdiction of the death occurs. The manner of disposition of the body and any itinerant funeral services are at the discretion of the Coroner and Carbon County, and may not be dictated by friends, family, or other interested persons, absent payment therefor.

6. Non-veteran Recipients of Certain Public Benefits: If the decedent was indigent and a recipient of POWER assistance, SSI income, or Medicaid under the Wyoming Public Assistance and Social Services Act at the time of death, the Wyoming Department of Family Services shall be responsible for payment for burial or cremation, as per W.S. § 42-2-103(c). Also per W.S. § 42-2-103(c), no Board of County Commissioners shall be responsible for any burial or cremation expenses in excess of the amount paid under this subsection.

7. Claim of Remains After Burial or Cremation: If a relative or friend of an unclaimed decedent wishes to claim the remains of the decedent after burial or cremation, that person must first reimburse the County up to and including all burial or cremation fees, and any transportation fee paid for a decedent who was a veteran under Section 3 above, and shall pay the funeral home the costs over and above the amount paid by the county, as per their normal and customary rates, as well as any or all fees charged by the mortuary or cemetery for the cost of disinterment.

8. Coroner's Policy: The Carbon County Coroner's Disposition Policy and Resources for Unclaimed or Indigent Veteran's Remains, and assistance information handout of Resources for Funding Funerals and Burials, are attached hereto for reference. Policies and procedures for the disposition of property found on or with the body are public documents and are available from the Coroner's Office.

Approved and adopted by the Carbon County Board of Commissioners this 18th
day of April, 2022-~~2023~~


~~John Johnson~~ Sue Jones
Chairman

Attest:


Gwynn Bartlett,
County Clerk, Clerk of the Board



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(SEAL)

Carbon County Coroner – Assistance Information Handout
Resources for Funding Funerals and Burials

In the case of the death of an individual, next of kin generally have three options:

- A. **Claimed** – the deceased's family or friends will arrange for disposition through a local or other funeral home, or plan for a 'home burial' as allowed by law. In a Coroner's case, family will authorize the coroner's office to release the body to a particular funeral home once the investigation is completed, or at a point where the body is no longer needed for the investigation. For specifics on what is required for a home burial, consult with the Coroner's Office. All options, choices, arrangements and costs are the responsibility of the family or friends taking charge of the remains. Thorough research should be done on their part to determine if the deceased left a will and executor designating funeral wishes and disposition, and determine assets available for funding both immediate and pending. Some individuals complete pre-arrangements with a particular funeral home, and have prepaid for their services. Keep in mind that each situation is different, and some resources such as accounts or insurance payments may not be immediately available. Arrangements for payment are made directly with the funeral home involved if their services are utilized.
- B. **Indigent** – Indigence means that family or friends wish to claim the remains, but do not feel that they have the means or resources to pay for basic disposition services for the body. This status is independent of whether it is a coroner case or not. While by law the County can and may assist, keep in mind that this is only for such basic things as cremation cost, and not for any other funerary arrangements. Prior to applying for County assistance, individuals should investigate the following resources:
1. Collect and gather all information on life insurance, bank accounts, personal property, land ownership, and any other possessions that may be converted immediately or at a later date to fund the disposition. Often employers, ex-employers, pension plans such as railroad retirement or unions, provide death benefits. The same would apply to any public employee or government retirement plans, or memberships in fraternal organizations, benevolences, or lodges. Only individuals that have none of these possible resources can be considered indigent, and if applying for County assistance, you will need to document a lack of resources.
 2. For those who were receiving Social Security benefits at the time of death, Social Security provides a \$255.00 death benefit that must be applied for by the next of kin.
 3. Any deceased that was receiving POWER (Personal Opportunities with Employment Responsibilities) assistance, SSI (Supplemental Security Income), or Wyoming Medicaid, must apply to the WY Department of Family Services for burial assistance. The amount you can receive is set by Statute at \$1,000.00, and per WS 42-2-103, the County cannot provide additional assistance in these cases.
 4. Honorably discharged veterans: application must be made to the Veterans Administration for death benefits. A document called a DD214 will be needed to verify veteran status. Amounts are variable, but may be up to \$1045.00 for a non-service related death, \$2000.00 for a service related death, and the VA will provide a marker for the grave. A veteran may also be buried in an established veterans' cemetery at no charge, with the closest being the Oregon Trail State Veterans' Cemetery in Evansville, WY.
 5. If a death occurs within Carbon County, a local State Registrar must provide the death certificate, but there is no limitation that you must deal with a local funeral home. Any funeral home, in or outside of the county, will be happy to provide you with costs and pricing for services. Should friends or family choose an out of county provider, keep in mind that the

Coroner's Office will not transport to an out of county facility – but most other funeral homes are aware of that and will include that in pricing options. There is no Wyoming law prohibiting family transport of the deceased to another location, as long as a transit permit is obtained from a local Registrar. A Registrar is a local person appointed by the Wyoming Department of Health, Vital Statistics Services who will provide legal documentation of deaths on behalf of the State. This appointment is independent of a business that may perform the services. In most areas (and in Carbon County), local funeral home directors are appointed Registrars, and will provide documents such as transit permits, whether their services are used or not.

6. Any and all of the applicable above options must be pursued prior to applying for County assistance, and documentation of those efforts will be required as part of the process.
7. Keep in mind that there are also many non-profit organizations, church or religious groups, or groups of friends of the deceased that may assist with funding. Often these groups, in addition to the options listed above, may provide sufficient funding for at least the basic disposition and arrangements.

C. Unclaimed – The main Wyoming Statute governing unclaimed remains is as follows:

§7-4-207(a). Disposition of body and effects of deceased. When the coroner investigates the death of a person whose body is not claimed by a friend or relative within five (5) days of the date of discovery and whose death does not require further investigation, he shall cause the body to be decently buried. The expense of the burial shall be paid from any property found with the body. If no property is found, the expense of the burial shall be paid by the county in which the investigation occurs.

1. W.S. § 7-4-104(a)(i)(K) also determines that any body that is unclaimed, becomes a Coroner's case, regardless of circumstances, and whether or not it was originally a coroner case or not.
2. A body may be unclaimed due to there being no next of kin, or no friends or family that choose to take responsibility for the remains.
3. If unclaimed, the county takes possession of the body and determines the disposition of its choice, either cremation or direct burial, in an area established as a "commons" location for the unclaimed. No graveside services, memorials, individualized markers, obituary or any other special arrangements will be made by the county. Common grave numbering and plotting will be used to define the location, and recorded at the Coroner Office. All property on or with the body becomes County property and is disposed of in an established procedure. Should friends or family choose to claim the remains once the County has completed disposition, those individuals are responsible for any associated costs of disinterring or transferring the remains. It should be noted that Statute requires the County Coroner to complete disposition after 5 days of discovery or completion of the investigation, if the remains have not been claimed during that period.
4. Unclaimed veterans disposition is covered by a separate set of statutes and they are taken care of in a particular procedure established by law and the County Coroner, out of respect for their service.