

Model Policy for Defining Indigent for Purposes Of Burial at Township's Expense

Generally:

The purpose of this policy is to ensure compliance with Ohio Revised Code Sect. 9.15(C) which mandates that a township must bury or cremate a body at the township's expense when the body is claimed by an indigent person. ORC Sect. 9.15(C) defines "indigent person" as someone whose income does not exceed 150% of the federal poverty line when adjusted to the correct family size.

This policy provides guidelines intended for use by the Plain Township Board of Trustees when determining 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 indigence determination as set forth in ORC Sect. 9.15 and federal poverty threshold criterion. In the case of an indigent disposition, it is the township that is paying for the cost of disposition. Therefore, the township's cemetery sexton will be the person who decides on the type of disposition and funeral services (if any) provided for the indigent decedent. Section 2108.81 (A)(10) of Ohio's right-of-disposition law provides that, if an individual is indigent and the costs are the responsibility of the township, then the cemetery sexton has the right to arrange the disposition.

Upon examination of the indigent person's financial and familial data (in conformance with the guidelines below), the Board shall make a determination as to whether the claimant is indigent. 1) If the application meets all requirements, Plain Township shall bury or cremate the body of the indigent deceased; 2) If the application meets all requirements, and the body of the indigent deceased is claimed for purposes of a private burial and the claimant attests in writing that he/she is solely responsible for and will pay all costs associated with burial of the indigent deceased, Plain Township shall pay for the costs attributed to cremation or burial as provided in the township's indigent burial policy, if applicable, and supply an appropriate marker with proper inscriptions as required by ORC Section 9.15.

Claimant's Indigency Status:

When determining indigency status of the person claiming the deceased's body, Plain Township Board of Trustees 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 (SSI), 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 made by a non-indigent claimant shall be paid for by the claimant.

Any 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. In addition, Ohio Attorney General's Opinion No. 1995-012 establishes the mere fact that even when a family member claims a body and contacts the funeral home, the township is not relieved from paying the disposition costs. The obligation still resides with the township.

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 documents to third parties.

150% of the 2013-2014 Federal Poverty Guidelines

| Size of Household | Income Limit Yearly |
|-------------------|---------------------|
| 1-Person | \$17,235 |
| 2-Person | \$23,265 |
| 3-Person | \$29,295 |
| 4-Person | \$35,325 |
| 5-Person | \$41,355 |
| 6-Person | \$47,385 |

***For households with more than six members, add \$6,030 per member for twelve months.

Attachment A

Definitions

The following definitions are taken from the US Census Bureau.

Income

Income consists of the following 23 components:

1. Earnings (wages, salaries, and self-employment income)
2. Interest income
3. Dividend income
4. Rents, royalties, estate, and trust income
5. Non-government retirement pensions and annuities
6. Non-government survivor pensions and annuities
7. Non-government disability pensions and annuities
8. Social Security
9. Unemployment compensation
10. Workers' compensation
11. Veterans' payments other than pensions
12. Government retirement pensions and annuities
13. Government survivor pensions and annuities
14. Government disability pensions and annuities
15. Public assistance (includes TANF and other cash welfare)
16. Supplemental Security Income (SSI)
17. Veterans' pensions
18. Government educational assistance
19. Non-government educational assistance
20. Child Support
21. Alimony
22. Regular contributions from persons not living in the household
23. Money income not elsewhere classified

Income does not include the following:

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

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 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 the members of the related subfamily.

Alimony

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

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.

Dividends

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

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, pensions, 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 proprietors 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, payments 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 does not include the value of fuel, food, or other farm products used for family living as part of net income. In determining farm self-employment income, 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.

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.

Financial Assistance from Outside of Household

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

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.

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.

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.

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.

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 funds.

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.

Unemployment Compensation

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

Veterans' Payments

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

Workers' Compensation

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

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, and such.***

| | |
|--------------------------|--|
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |
| _____ (Income Source) | monthly/year amount \$ _____ (Circle One) |

****For Office Use****

Application filed on: _____ Received by: _____
(Date Filed) (Twp. Personnel Receiving Application)

Documentation of income attached: Yes No Trustees meeting when considered: _____
(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): _____

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: _____