CASSIA COUNTY
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CASSIA COUNTY COMMISSIONE
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JOSEPH W. LARSEN
County Clerk
Deputy: HEVANS

BEFORE THE BOARD OF COMMISSIONERS FOR CASSIA COUNTY IDAHO

RESOLUTION NO. 2012-022

A RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR THE ADMINISTRATION OF THE DISPOSITION OF THE INDIGENT DECEASED IN CASSIA COUNTY, IDAHO.

WHEREAS, The Board of Cassia County Commissioners (hereinafter referred to as "the Board") is permitted, pursuant to Idaho Code §31-3401 to adopt resolutions, promulgate policies and procedures, establish payment to providers, and contract for non-medical services; and

WHEREAS, the Board has developed certain policies and procedures for the administration of Idaho Code §31-3412 to provide for the disposition of the indigent deceased;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby declares that the following policies and procedures will be utilized in the administration of Idaho Code§31- 3412 to provide for the disposition of the indigent deceased:

I. APPLICATION PROCESS

1. Application for the disposition of the indigent deceased residents of Cassia County may be made by relatives or friends of the deceased. If the coroner, mortician, or other responsible parties are unable to establish next of kin or other resources, they may make an application to the Board, as provided in Idaho Code 31-3412. Application must be made prior to services rendered.

2. For purposes of providing applications, investigation, determination of eligibility for non-medical indigent assistance, and for appeals to the Board, individuals are referred to the Cassia County Social Services Department within the Cassia County Courthouse, 1459 Overland Ave, Room #106, Burley, Idaho, 83318. Applications for non-medical assistance are also available on the Cassia County website www.cassiacounty.org.

II. INVESTIGATION PROCESS

1. It is the duty of the Clerk of the Board of County Commissioners, or his designee, to whom such application is made, to investigate, or cause to be investigated, the grounds of such application and to file a statement of findings with the board of the county. The person filing the application, or other such persons as may be deemed necessary, may be required to testify, under oath, as provided in Idaho Code § 31-3406.

III. ELIGIBILITY

1. Cassia County shall only consider payment for the disposition of the deceased for those individuals who, through the application and investigation process, have been deemed indigent at the time of their death, and who at the time of application, had maintained residence within Cassia County for a consecutive period of not less than thirty (30) days.

2. Eligibility will be determined based upon the following: a) completion of an application for non-medical assistance on a form provided by Cassia County, b) verification of the deceased's county of residence, c) interview and financial eligibility investigation by the Clerk of the Board, or his designee, d) application of the policy described within this document, and e) any other requirements as described in Chapter 34, Title 31 of Idaho Code.

IV. DETERMINATION OF THE BOARD OF COMMISSIONERS

1. The Board shall give written notice of its decision on an application for the disposition of the indigent deceased to the applicant's mailing address and service providers, within fifteen (15) working days following completion of the interview.

    a. The applicant may appeal the determination by filing a written notice of appeal with the Clerk of the Board within thirty (30) days of the date of the Board's denial.

    b. An appeal hearing will be scheduled by the Board and conducted as prescribed by the Board.

    c. The applicant may appeal the final decision of the Board to District Court of the Fifth Judicial District within thirty (30) days of the date of the final written decision of the Board.

V. MISCELLANEOUS PROVISIONS

1. The maximum established rate set by the Board and to be paid directly to the service provider for the disposition of the indigent deceased shall be in the amount of $1,100.00.

    a. The County preferred method of disposition, for fulfilling its statutory obligation as provided in Idaho Code §31-3412, is for direct cremation of the deceased.

b. In the event that those who have the right of disposition of the deceased have a compelling reason for burial or interment of the deceased in lieu of cremation, the funeral service provider may only accept additional funds from alternate sources to cash advance the cemetery for a single cemetery plot and to cash advance the cost of opening and closing the grave.

c. The funeral service provider shall supply the Cassia County Social Services Department with a copy of the completed and signed Statement of Funeral Goods and Services Selected enumerating all costs related to the indigent deceased within thirty (30) days of the disposition of the deceased.

d. This established fee shall be all inclusive and no additional fees will be paid for by Cassia County for funeral-related charges or services, including, but not limited to the following: the cost of a cemetery plot, the cost of opening and closing the grave, any receptacle for the deceased body or cremated remains; or any other merchandise, professional services, or charges for facilities and equipment.

2. Cassia County will not pay for transporting human remains either into or out of Cassia County.

3. Cassia County will not pay for the exhumation or disinterment of the deceased person or cremated remains.

4. Cassia County is not financially responsible for the disposition of a deceased person who at the time of their death was in custody of the State of Idaho Department of Corrections either in Cassia County or elsewhere.

5. Should any other funds, resources or assets on behalf of the deceased become identified, they must be applied toward repayment of the costs expended on behalf of the Cassia County for the disposition of the indigent deceased.

6. Applicants who have divested their assets or resources within three (3) months prior to applying for county assistance in order to become eligible shall be denied assistance. Idaho Code §31-3415.

7. Any person who withholds information, or gives false or incomplete information on an application for the purposes of obtaining county aid, to which they are not otherwise entitled, shall be guilty of a misdemeanor. Idaho Code §31-3416.

8. Cassia County and its agents shall be free from any liability for said burial or cremation of the deceased. Idaho Code §31-3412, §31-2802.

APPROVED AND ADOPTED this 5 day of October, 2012

BOARD OF COMMISSIONERS
FOR CASSIA COUNTY, IDAHO

Dennis D. Crane,
Chairman

Paul Christensen
Commissioner

Bob Kunau
Commissioner

ATTEST:

Joseph W. Larsen, Clerk