

## PROCESS FOR DISPOSITION OF UNCLAIMED BODIES

### Responsibility of Person, Agency or Entity with possession of an unclaimed body:

Efforts shall be made to locate a person, agency or entity with statutory authority to undertake efforts to effectuate final disposition of a deceased person. If an authorized representative cannot be located, the Director of Caldwell County DSS shall be notified of the fact for a determination as to whether the body should be held for ten days post death or whether the ten day period should be shortened.

The body shall be placed at a funeral home or crematorium for temporary storage. Crematorium or funeral home shall have the following responsibility:

1. *Pursuant to N.C.G.S. §130A-415, if a body remains unclaimed for final disposition for 10 days, the person having possession shall notify the Commission of Anatomy – Department of Public Health at 919-707-5000.*
2. All dead bodies not claimed for final disposition within 10 days of the decedent's death may be received and delivered by the Commission of Anatomy pursuant to the authority contained in N.C.G.S. §130A-33.30 and N.C.G.S. §130A-415 and in accordance with the rules of the Commission of Anatomy. Upon receipt of a body by the Commission of Anatomy all interests in and rights to the unclaimed dead body shall vest in the Commission of Anatomy. The recipient to which the Commission of Anatomy delivers the body shall pay all expenses for the embalming and delivery of the body, and for the reasonable expense arising from efforts to notify relatives or others.
3. Note: Significantly obese bodies, bodies which are afflicted with significant diseases or bodies that are more than five days old are unlikely to be accepted.
4. *Should the Commission of Anatomy decline to receive a dead body located in Caldwell County, the entity with possession shall inform the Caldwell County Director of Social Services.*

## **DSS Responsibilities:**

### **STEP I:**

1. Verify full name of deceased
2. Verify date and time of death
3. Obtain social security number, if possible
4. Verify county of residence. If deceased is a resident of a county other than Caldwell County, notify the county of residence for purposes of making diligent efforts for locating an authorized representative and for effectuating final disposition.
5. Verify if the death was unattended and whether the death certificate has been signed or there are plans to have it signed. If there is no signed death certificate and no physician willing to sign a death certificate, contact the Medical Examiner's office before proceeding.
6. Verify whether deceased has any assets
7. Verify veteran's status, if applicable
8. Verify cause of death, including whether deceased suffered from any significant diseases
9. Verify whether deceased wore a pacemaker or similar medical device
10. Verify whether deceased is a migrant worker. If the deceased is a migrant worker, notify the Chief Medical Examiner's Office (1-800-672-7024). Upon notification, the Chief Medical Examiner's Office will make arrangements for final disposition.
11. Verify whether deceased is retarded or otherwise has affiliation with the Lifeguardianship Council of the Association of Retarded Citizens of North Carolina, Inc. If the deceased is retarded or otherwise affiliated with Lifeguardianship Council of the Association of Retarded Citizens of North Carolina, Inc., contact the council to determine if the council desires to claim the body of deceased.

12. Verify whether the deceased is a tissue or organ donor. If the deceased is an organ or tissue donor, notify the Chief Medical Examiner's Office (1-800-672-7024). Upon notification, the Chief Medical Examiner's Office will make arrangements for final disposition.
13. Verify the existence of potential authorized representatives who may be any of the following. The names, addresses and phone numbers should be obtained for each potential authorized representative regardless of any assertion that the person or entity would or would not be interested in final disposition of the deceased:
  - a. Spouse
  - b. Any biological or adopted child or their living issue
  - c. Siblings
  - d. Parents
  - e. Grandparents
  - f. Caretakers or persons who may have special interest in deceased (including boyfriends or girlfriends as applicable, a fiancé, ex-spouses, etc.)
  - g. Entities with a special interest in the deceased
14. In ascertaining the information contained in (1-12) above, reference should be made to internal resources (Medicaid, CAP, Foodstamps, WorkFirst, Child Support Parent Locater Services) as well as external resources (Register of Deed, Clerk of Court).

**STEP II:**

If, after reasonable inquiry/diligent efforts, no authorized representative has been located, DSS will accept the body as unclaimed, and the Director of Caldwell County DSS will execute the DSS Director's cremation authorization.

1. The Cremation Authorization form shall be conveyed to the storage facility and upon receipt, said facility shall have the body promptly cremated. The cremains will be retained by the County to be interred in a memorial site selected for that purpose.
2. Arrangements shall be made to pay the funeral home for services rendered. All billing shall be forwarded to the Caldwell County Finance Office only after diligent inquiry is made of the assets of the deceased. To effectuate this, the following steps should be undertaken:
  - a) If assets exist which are of such a nature as to be able to reasonably cover some or all of the costs of final disposition, the Staff attorney will contact the Clerk of Superior Court for Caldwell County for the appointment of a public administrator if no estate currently is open for administration.
  - b) Upon the appointment of a public administrator, final billing for the costs of final disposition shall be forwarded to said public administrator.
  - c) Should there be no assets available, The Caldwell County DSS Financial Officer shall be notified in order to coordinate payment with the Caldwell County Finance Office.

**The County will, therefore, accept those decedents as unclaimed bodies who:**

- 1) After diligent inquiry, have no identifiable relative, friend, or any other resource for disposition of the body; and/or
- 2) County payment for cremation has been established with the understanding by any and all identified parties that by acceptance of County funds, it is agreed and understood that the body is unclaimed and any right to the cremains is hereby relinquished; and
- 3) The County will pay for the cremation only (no funeral service), and
- 4) The cremains will be retained by the County and the County will release the cremains to be interred in a memorial site selected for that purpose.

# CREMATION AUTHORIZATION

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Name: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Date of death: \_\_\_\_\_

Social Security No: \_\_\_\_\_

Location body currently held:

- Funeral Home (Name) \_\_\_\_\_
- Morgue \_\_\_\_\_
- Hospital \_\_\_\_\_
- Other \_\_\_\_\_

Due Diligence steps as set forth in *Unclaimed Bodies Protocol* has been completed :

- Yes
- No If not, why not? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Social Worker/Date

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Agency Director/Date

## Disposition of Unclaimed Bodies

### Legal Base

North Carolina General Statutes 130-A-415  
130A-416

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#### Any person

“Officers, employees, agents of the State, undertakers, hospitals, nursing homes having physical possession of a dead body shall make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition.”

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Commission of Anatomy is contacted.

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If the Commission of Anatomy refuses the body, the Department of Social Services is contacted and must make plans for final disposition.

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A 10 day waiting period is allowed for death announcements to be made and any family or friends to come forward to claim the body.

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The Department of Social Services makes every effort to contact family and friends

- \*Check past records at DSS, if any
  - \*Make Death Announcement in newspaper
  - \*Contact any past landlords or facility placements
  - \*Check with Neighbors/other acquaintances
  - \*Check to see if there is any life insurance or preneed burial plans
  - \*Check with any available contacts to see if the person had any wishes for their burial (place of burial, burial/ cremation, church, pastor, grave site)
  - \*Will
  - \*Resources from an Estate
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In the absence of any person to claim the body for burial, the Department of Social Services in the county where the body is located is required by law to claim the body for final disposition.

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The county of residence is required to pay the expenses for burial even if this is different from the place the body is located.

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Close collaboration with other counties is essential if one of our residents dies in another county and the body is unclaimed. This is very important to ensure cost is given consideration.

(Another county can make plans for final disposition and send us a bill. This requires good team work from the beginning.)

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No autopsy shall be performed on an unclaimed body unless authorized by Commission on Anatomy or due to a legal process.

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Officers, employees of the county are not required to notify the Commission of Anatomy regarding the bodies of minors who were in the custody of the county at the time of death whose final disposition will be arranged by the county. Expenses will be paid by the county having custody.

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The county is not involved with disposition of bodies within the jurisdiction of the medical examiner.

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When the commission of anatomy is notified by the Lifeguardianship Council of the Association of Retarded Citizens of North Carolina, that the council intends to claim a body, the Commission shall release the body to the Council.

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The Department of Social Services is provided with \$150.00 to arrange for the final disposition of an unclaimed body. Local funeral homes play a vital role as do churches, pastors, and cemeteries.