

Lane Manual
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Chapter 62

BURIAL OF INDIGENTS, STRANGERS AND DESTITUTE PERSONS

62.020 Burial of Indigents, Strangers and Destitute Persons.

The law pertaining to the County's responsibility for the burial of persons is contained in the following provisions of the Oregon Revised Statutes. ORS 97.130, 97.141, 97.170, 146.121 and 146.125. The procedures set forth in LM 62.021, 62.022, 62.023 and 62.024 are adopted pursuant to these legal requirements. *(Revised by Order 93-3-31-7, Effective 3.31.93)*

62.021 Burial of Indigent or Destitute Persons.

Costs for the burial of deceased indigent or destitute persons may be borne totally or in part by Lane County.

Applications for burial expenses may be made to the Medical Examiner's Office of the Health Division of the Health and Human Services Department. Such applications may be made by a relative or friend of the deceased, by a funeral director acting either as agent for such relatives or friend or, when designated, by the Medical Examiner.

The Medical Examiner's Office shall determine if a need for burial expenses exists through contacts with Social Security, Public Welfare and Veterans Administration for eligibility for burial benefits. If none exist, the Medical Examiner shall authorize payment from funds designated for this purpose to the extent available. If funds are unavailable, a request will be made to the Board of County Commissioners for payment. The payment will be made directly to the funeral director, upon presentation of an itemized bill, in an amount no more than the average burial benefits provided by Social Security, Veterans Administration and Public Welfare, less the amount of available collateral sources. *(Revised by Order 93-3-31-7, Effective 3.31.93)*

62.022 Burial of Strangers.

When the Medical Examiner's Office, in conjunction with the concerned law enforcement agency, cannot ascertain the identity of remains, the Deputy State Medical Examiner may authorize and direct disposition. Arrangements for a plain and decent burial or cremation will be made by the Medical Examiner's Office. Payment for these services shall be made by the Medical Examiner's Office from funds designated for this purpose to the extent available. If funds are unavailable, a request will be made to the Board for payment. The payment will be made directly to the funeral director, upon presentation of an itemized bill, in an amount no more than the average burial benefits provided by Social Security, Veterans Administration and Public Welfare, less the amount of available collateral sources. *(Revised by Order 93-3-31-7, Effective 3.31.93)*

62.023 Disposition of Remains of Persons Whose Deaths are Investigated by the Medical Examiner.

The procedures of this section shall be followed in those situations where the death is investigated by the Medical Examiner pursuant to ORS 146.090.

After completion of the investigation, if the remains are claimed by a relative or friend willing to pay the burial expenses, custody of those remains shall be given that relative or friend.

The concerned law enforcement agency will make reasonably diligent efforts to ascertain and notify next of kin. If the remains are not claimed within five days, the remains will be offered to the Demonstrator of Anatomy of the State Board of Higher Education. If the remains are not desired, the Deputy State Medical Examiner may direct

and authorize disposition. The Medical Examiner's Office shall arrange for payment of expenses of disposition. *(Revised by Order 81-1-21-17, Effective 1.21.81; 93-3-31-7, 3.31.93)*

62.024 Disposition of Property of Deceased Persons.

The Sheriff or Medical Examiner shall make a verified inventory of any money or personal property found on the body or in the possession of the deceased. The inventory shall be filed with the Medical Examiner and any money deposited with the Financial Services Division.

If it appears that the person died intestate and without heirs, the property of the deceased should be delivered to the Director of the Division of State Lands. A claim should be filed against the Director of the Division of State Lands for the costs of transporting or disposing of the remains.

Otherwise, the property shall be delivered to such claimants as are legally entitled to the property, after deducting from any money of the deceased the costs of disposing of the remains. If property is not claimed within 30 days, the inventory should be filed in the Department of Public Safety and a copy made available to the Board. The Board may authorize destruction of the property if it is without value or authorize its sale if it has value. Any proceeds of sale, together with unclaimed property presumed abandoned, should be held for seven years, then be turned over to the Division of State Lands pursuant to ORS 98.302 to 98.436. *(Revised by Order 81-1-21-17, Effective 1.21.81)*