

**CHEROKEE COUNTY, GEORGIA
INDIGENT BURIAL ASSISTANCE PROGRAM POLICY
RESOLUTION 2012-R-022**

WHEREAS, Cherokee County desires to provide burial assistance in accordance with Georgia Law for qualified indigent persons where there are no other means to pay the cost and can only do so by providing limited benefits thereto:

BE IT THEREFORE HEREBY RESOLVED THAT: Effective the 6th day of November, 2012 the Cherokee County Board of Commissioners adopts the following requirements and restrictions regarding burial assistance for indigent persons who meet the Cherokee County General Assistance eligibility requirements.

REQUIREMENTS AND RESTRICTIONS

Cherokee County may provide funds, up to but not to exceed \$1,000, through the Indigent Burial Assistance Program for the burial of indigents. This program provides for burial assistance when there is no person financially able, or when no estate exists to defray the cost of burial. In order to participate in the Indigent Burial Assistance Program, an application must be completed by the funeral home and filed with the Cherokee County Marshal's Office (Refer to Application attached hereto and marked Exhibit "A") . The County Marshal's Office is the county agent who investigates the availability of resources to defray the cost of burial and determines the eligibility status and financial responsibility of the applicant applying for burial assistance.

The investigation involves but is not limited to: verifying bank accounts, insurance claims, veteran's eligibility, vehicle ownership, real property ownership, personal property ownership, property secured by medical facilities or others, employers benefits, income, and resources. This investigation will determine who is responsible for burial under O.C.G.A §36-12-3 and if an action under O.C.G.A. §36-12-4, "Liability of person sending pauper to county for support services" is appropriate.

§ 36-12-3. Duty of relatives to support paupers generally; right of county to recover from relatives for provisions furnished

The father, mother, or child of any pauper contemplated by Code Section 36-12-2, if sufficiently able, shall support the pauper. Any county having provided for such pauper upon the failure of such relatives to do so may bring an action against such relatives of full age and recover for the provisions so furnished. The certificate of the judge of the probate court that the person was poor and was unable to sustain himself and that he was maintained at the expense of the county shall be presumptive evidence of such maintenance and the costs thereof.

§ 36-12-4. Liability of person sending pauper to county for support purposes

Any inhabitant of any county, city, town, or village in or out of this state who sends a pauper to some county in this state by paying the expense of his transportation or otherwise has him removed for the purpose of burdening some other community shall be personally liable for the support of the pauper in the county where he locates. If the person who transports a pauper is insolvent or does not respond to such demand from any cause, the county from which the transportation took place shall be liable.

§ 36-12-5. Interment of deceased indigents

(a) Whenever any person dies in this state and the decedent, his family, and his immediate kindred are indigent and unable to provide for his decent interment, the governing authority of the county wherein the death occurs

shall make available from county funds a sum sufficient to provide a decent interment of the deceased indigent person or to reimburse such person as may have expended the cost thereof voluntarily, the exact amount thereof to be determined by the governing authority of the county.

(b) The Department of Corrections is authorized to reimburse the governing authority of the county where expenditures have been made in accordance with this Code section for the burial of any inmate under the authority, jurisdiction, or control of the Department of Corrections; but in no case shall the governing authority of the county be entitled to reimbursement where the decedent was in the custody of a county correctional institution or other county correctional facility.

Indigent Burial Application Review

The Cherokee County Marshal's Office works closely with local Funeral Homes during this application process. These contracted entities have blank Indigent Burial Assistance Applications on site to be completed by the Funeral Home. Once a complete application, along with a letter of request and invoice, has been submitted to the County Marshal's Office, and there are no pending law enforcement investigations, the review process will begin. The Department of Veteran Affairs will be contacted to verify if the deceased was a veteran. If so, the County Marshal's Office will notify Veteran Affairs of the death and proceed with the review of the application.

If the deceased is a veteran, he/she may be buried in the VA National Cemetery in Cherokee County contingent upon approved by Veteran's Affairs. The Funeral Home will contact any individuals listed on the application for questioning regarding the deceased.

Approval

Once the application (Exhibit has been approved the completed documentation will be submitted to the contracted Funeral Home, along with payment up to but not to exceed \$1,000.

Denial

Once the application has been denied the Funeral Home will be notified. Reasons for denial of application include but are not limited to the following:

1. Is father, mother or child sufficiently able to support the pauper? If yes, the application for assistance is denied.
2. Did person(s) die in Cherokee County? If no, the application for assistance is denied.

The service may include


- 1) Burial in the Pine Knot Cemetery, and/or
- 2) Financial Assistance Paid to Funeral Home

ADOPTED THIS 6th DAY OF NOVEMBER, 2012

CHEROKEE COUNTY BOARD OF COMMISSIONERS


L.B. "Buzz" Ahrens, Chairman

ATTEST:


Christy Black, County Clerk

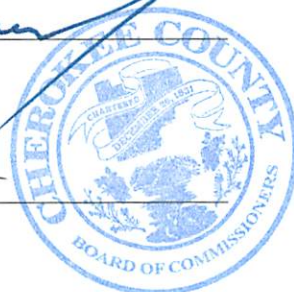


EXHIBIT "A"



CHEROKEE COUNTY INDIGENT BURIAL ASSISTANCE APPLICATION

Applicant's Information

- 1. Name of the Funeral Home (Applicant) _____
- 2. Application Date _____
- 3. Address of Applicant _____
- 4. Phone _____
- 5. Email Address _____

Deceased Information

- 6. Name of Deceased _____
- 7. Date of Birth _____
- 8. Social Security # _____
- 9. Date of Death _____
- 10. Location of Death _____
- 11. Length of Residency _____
- 12. Location of Remains _____
- 13. Cause of Death _____

The following financial information is used to determine if any, the county can intercept:

- 14. Monthly Income _____
- 15. Source of Income _____
- 16. Any Bank Accounts - *yes or no*
If yes, how much in account _____
Name and Location of Bank _____
- 17. If in a nursing home, how much in Medicaid does deceased have in personal spending account
\$ _____

Eligibility Criteria (circle yes or no)

- 1. Receiving Veteran's Benefit *yes* *no* (if yes, refer to funeral home)
- 2. Victim of a Crime *yes* *no* (if yes, refer to District Attorney's Office)
- 3. Cherokee County Resident *yes* *no*
- 4. State Inmate *yes* *no* (if yes, Department of Corrections may reimburse)
- 5. Any Life Insurance *yes* *no*

Other Pertinent Information:

I _____, hereby certify to the best of my knowledge that the information provided is correct.

Funeral Home _____
(Signature)

Reviewed By _____
County Marshal's Office

Reviewed By _____
Chief Marshal's Signature

Approved By _____
County Manager's Signature

Date _____

Date _____

Motor Vehicles

Year/make/model: _____ What's it worth? \$ _____

Year/make/model: _____ What's it worth? \$ _____

Verification completed by: Deputy Marshal _____ **Date** _____

Eligible Ineligible Date: _____

By: _____
County Marshal

Approved for payment in the amount of \$ _____ to _____ Funeral Home

By: _____
County Manager