

ELBERT COUNTY GOVERNMENT

Policy and Procedure for Coordination between the Elbert County Coroner and other County Departments regarding Unclaimed Deceased Bodies in Noncriminal Investigations

Purpose: The Board of County Commissioners and the County Coroner have a statutory responsibility to arrange a decent burial of deceased persons, and to pay reasonable expenses from the county's funds, when property of the decedent is not found. This statutory duty is outlined at C.R.S. § 30-10-618:

Burial expenses-when paid by county. The coroner shall cause the body of a deceased person which he is called to view to be delivered to his friends, if there are any, but if not he shall cause him to be decently buried, the expenses to be paid from any property found with the body, or, if there is none, from the county treasury, by certifying an account of the expenses which, being presented to the board of county commissioners, shall be allowed by them if deemed reasonable and paid as other claims on the county.

The following policies and procedures should be followed by the County Coroner in noncriminal investigations:

(1) Pursuant to at C.R.S. § 30-10-606 (1.2) (d) and (e), the coroner shall collaborate with the sheriff's office, and use the resources of the sheriff's office if necessary, to identify the deceased, determine the deceased's next of kin, and notify the appropriate next of kin or other persons of the death. The coroner should also cooperate with the sheriff's office to collect, examine and store documents, evidence and information, including electronic data, and should take appropriate measures to safeguard the property and its contents.

(2) If next of kin or any person willing to accept responsibility cannot be located within a reasonable time, the coroner should notify the County Manager in order to discuss anticipated costs which will need to be paid by the county. If there are costs which are not included in the coroner's budget, those costs will need to be approved by the County Manager prior to expenditure.

(3) In every situation involving a death within the County, the coroner should immediately notify the County Director of Health and Human Services, in order to discuss whether the deceased had applied for or was receiving public assistance or medical assistance. Pursuant to C.R.S. § 26-2-129 (3), the County Department of Health and Human Services is required to determine whether a death reimbursement covering reasonable funeral expenses, reasonable cremation expenses, or reasonable burial expenses must be paid by the county department, subject to reimbursement by the State. This reimbursement is set at 80% of the death reimbursement paid for recipients of aid to the needy disabled and assistance under the Colorado works program, and 100% of the death reimbursement paid for recipients of old age pensions. The maximum amount of a death reimbursement for a combination of services is \$2500.00. The County Department of Health and Human Services is required to calculate the amount of the death reimbursement based on contributions from responsible persons and the personal resources and income of the decedent under C.R.S. § 26-2-129 (5) and (6). Pursuant to C.R.S. § 26-2-129 (9) (a) (II), the County Department of Health and Human Services is also required to use reasonable effort to contact an authorized person to determine the disposition of the deceased recipient.

(4) In cases where it appears that the deceased had significant assets but no next of kin or responsible parties, and the county incurs substantial costs, a claim filed in a probate action or the appointment of an administrator may be considered after consulting with the County Manager and the County Attorney.

RESERVATION OF AUTHORITY

The Board of County Commissioners reserves the right to alter, amend, add to or revoke all or part of this policy and procedure at any time.

ADOPTED BY MOTION ON THE 26th DAY OF November, 2014.



KURT SCHLEGEL, CHAIRMAN AYE

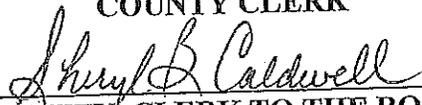


ROBERT ROWLAND, VICE- CHAIRMAN AYE



LARRY ROSS, COMMISSIONER AYE

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: 

DEPUTY, CLERK TO THE BOARD

