

Replacement

23.

February 2, 2016

Motion Made By Mr. McMahon, Mr. Ryan
Mr. Knapp

RESOLUTION NO. _____

AUTHORIZING BURIAL ALLOWANCES FOR ELIGIBLE RECIPIENTS OF PUBLIC ASSISTANCE OR CARE AND INDIGENTS, AND FURTHER AMENDING RESOLUTION NOS. 124-1990 AND 162-1990, AS EACH SUCH RESOLUTION WAS PREVIOUSLY AMENDED

WHEREAS, pursuant to New York State Social Services Law §141, Onondaga County is responsible for paying the cost of burials for eligible public assistance recipients and indigent persons, subject to partial reimbursement from the state and federal governments, and this Legislature has previously addressed this responsibility by adopting Resolution No. 124-1990, as amended by Resolutions Nos. 260-1998, 258-2006, and 159-2014, and Resolution No. 162-1990, as amended by Resolution Nos. 216-2006 and 259-2006, applicable to providing dignified burial services for Veterans; and

WHEREAS, by its own terms, Resolution No. 159-2014 lapsed on December 31, 2015, returning the authorized burial allowances to those in effect under Resolution No. 124-1990, as previously amended by Resolutions Nos. 260-1998 and 258-2006, and it is now necessary to provide a comprehensive and updated schedule of burial allowances and related policies for indigent persons and eligible recipients of public assistance and to provide dignified burial services for eligible Veterans; now, therefore be it

RESOLVED, that Onondaga County shall provide burial allowances for eligible public assistance recipients and indigent persons and for eligible Veterans, where such individuals are deceased and receiving the following services, and unless otherwise noted and as may be applicable, the deceased will receive funeral services as provided in the next following resolved clause:

Adult Burial	\$2,220
Adult Cremation, includes the crematory fee	\$2,220
Child Burial (Birth to 7 Years)	\$1,275
Stillborn Child	\$500
Anatomical Donations	\$1,495
→ Concrete Chest	an amount not to exceed \$750, based on the additional actual costs incurred for the non-protective concrete chest
Oversized Caskets	an amount not to exceed \$500, where such is the maximum amount to be added to the burial costs, based on the additional actual costs incurred
Clothing	an amount not to exceed \$75, where such is the maximum amount to be added to the burial costs, based on the additional actual costs incurred

and, be it further

RESOLVED, that where burial allowances are claimed for the eligible public assistance recipients and indigent persons, funeral directors shall be required to perform such services as are customarily provided to deceased individuals, in accordance with guidelines approved by the Central New York Funeral Directors' Association and all applicable statutes and regulations, and such services shall include at least the following:

1. Remove the deceased from the place of death to the funeral home by either a hearse or an appropriate service car;
2. Prepare the deceased for burial or cremation, which services shall include refrigeration or embalming of the deceased as directed by next of kin or authorized party, but in any event, in a manner consistent with the provisions of Section 4201 of the Public Health Law;
3. Fully dress the deceased with his or her own clothing; when no clothing is provided, the funeral director will furnish complete clothing unless religious beliefs preclude this. Decomposed bodies may be wrapped in a plain white sheet, placed in a disaster pouch and then placed in a casket and the casket closed;
4. For burial, furnish at least a basic casket; for cremation furnish at least an alternative container;
5. Furnish all necessary professional services and equipment;
6. Set aside at least one half (1/2) hour either before the graveside burial service or prior to cremation, as may be appropriate, for identification and visitation by relatives, friends or any interested persons, with an open casket if at all possible. A next of kin or other authorized person may preempt this;
7. Arrange a time and place for the graveside service for burial, including burial of ashes after cremation. The time and place of the service shall be made public unless the next of kin or other authorized person states otherwise;
8. Transport the deceased in a hearse or an appropriate service car to the cemetery for the graveside burial service;
9. Secure and file all necessary permits that are required under New York State law;
10. The funeral home shall assist and/or compose a basic free obituary and provide for publication in the Syracuse Post Standard, unless the next of kin states otherwise;

and, be it further

RESOLVED, that cooperating funeral homes may, at their discretion, provide services in addition to the ones stated in the immediately preceding resolved clause; and, be it further

RESOLVED, that a mileage rate of two dollars (\$2.00) per mile, one way, beyond a radius of ten (10) miles of the funeral home operated by the funeral director, shall be authorized to funeral directors as expense for the removal or transfer of the body in preparation for burial; and, be it further

RESOLVED, that the funeral directors shall bear no responsibility for applying to the Department of Social Services – Economic Security for the burial/cremation allowances and benefits on behalf of the deceased, unless any such funeral director agrees to accept such responsibility; any approved grant will be issued with a County voucher and sent directly and made payable to the selected funeral home; and, be it further

RESOLVED, that where this resolution authorizes burial/cremation allowances and benefits to be paid on behalf of the deceased and the amount of any such allowances and benefits are to be based on actual costs incurred, invoices showing such actual costs shall be submitted to the Department of Social Services – Economic Security prior to the release of payment; and, be it further

RESOLVED, that the deceased shall not be required to be buried in a plot owned by the County for the purposes of indigent burials, including plots at Loomis Hill; provided, however, that evidence showing that a plot was purchased for the deceased within six months of the deceased's date of death shall be considered in making the eligibility determination; and, be it further

RESOLVED, that any prior legislation relating to burial costs for indigent persons, including Resolution Nos. 124-1990, 260-1998, and 258-2006, and Resolution Nos. 162-1990, 216-2006, and 259-2006, applicable to providing dignified burial services for Veterans, are hereby amended to be consistent with this resolution; and, be it further

RESOLVED, that this resolution becomes effective immediately with respect to services rendered to eligible public assistance recipients and indigent persons on or after January 1, 2016, and that this resolution shall continue in effect until December 31, 2016, unless extended for an additional period by the Onondaga County Legislature, and upon the expiration of this resolution, the burial allowances shall revert to such burial allowances as were in effect under Resolution No. 124-1990, as previously amended by Resolution Nos. 260-1998 and 258-2006, and Resolution No. 162-1990, as previously amended by Resolution Nos. 216-2006 and 259-2006, but not Resolution No. 159-2014, where such resolution lapsed by its own terms and the amendments contained therein are not in effect.

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