



Division of Correction

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Assistant Commissioner

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Commissioner

Title: Funeral and Burial Expenses of Indigent Inmate	Directive Number: DOC.270.0002
Related MD Statute/Regulations: Health General Article, §5-406, Annotated Code of Maryland; and Correctional Services Article, §9-604, Annotated Code of Maryland	Supersedes: DOC.270.0002 dated July 30, 2000
Related ACA Standards: Inapplicable	Authorized By: Patricia Moore, Assistant Commissioner of Administrative Services
Related MCCS Standards: .02T	Issue Date: November 30, 2010
Related DOC Directives: DOC.270.0001	Effective Date: November 30, 2010
Related DOC Code of Maryland Regulations: 12.02.22.03	Number of Pages: 3

Division of Correction Directive

.01 Purpose.

This directive establishes policies and procedures for payment of funeral and burial expenses of either an indigent inmate or an indigent detainee.

.02 Scope.

This directive applies to an indigent inmate or indigent detainee of the Division of Correction.

.03 Policy.

- A. The state may consider requests for funeral and burial expenses if total expenses are less than \$2,000 when an inmate or detainee dies while in custody of the Division.
- B. To be eligible for assistance, a family member shall:
- (1) Assume legal responsibility for funeral and burial expenses;
 - (2) Provide the mortuary vendor itemized statement of expenses and payments from all sources;
 - (3) Provide proof of registering with the Department of Human Resources; and
 - (4) Authorize the Department of Human Resources to release case information to the Division.

C. The Division may not exceed \$900 supplement pay of which the mortuary vendor directly receives.

.04 Definitions.

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Indigent inmate or detainee” means an inmate or detainee who dies while in custody of the Division and:
 - (a) Inmate or detainee has insufficient funds to pay funeral and burial expenses;
 - (b) Family member has insufficient funds to pay funeral and burial expenses, but assumes responsibility to pay; and
 - (c) Funds from other family and friends, death benefits, insurances, estates, donations, and inmate accounts are insufficient to pay funeral and burial expenses.
- (2) “Family” means an individual who is a relative to the indigent inmate or detainee by blood or law such as spouse, parent, child, grandparent, sibling, or grandchild of majority.
- (3) “Registered with the Department of Human Resources” means an individual who is receiving some cash or cash substitute benefit for which a means test was completed such as cash assistance, food stamps, medical assistance and energy assistance.

.05 Responsibility.

A. A managing official or designee shall designate an individual to ensure the following is adhered:

- (1) Inmate or detainee death procedures include a copy of this directive; and
- (2) Funeral and burial expense requests are processed.

B. Division Policy

The designated individual shall advise family and mortuary vendor on contact of the Division policy as stated in this directive, and if appropriate, process an application using DOC Form 270-2aR, *Request for Payment of Funeral Expenses*.

C. In processing the *Request for Payment of Funeral Expenses* form, the designated individual shall:

- (1) Complete information on the *Request for Payment of Funeral Expenses* form that relates to family, inmate, detainee, and mortuary vendor.
- (2) Verify an inmate or detainee is indigent by confirming the inmate or detainee account is current while obtaining a final MOBS statement of account.

- (3) Confirm a relative of the inmate or detainee meets the definition of family as stated in section .04B.2 of this directive.
- (4) Obtain and verify family evidence of registering with a local agency of the Department of Human Resources.
- (5) Obtain the mortuary vendor confirmation that family is assuming legal responsibility for funeral and burial expenses.
- (6) Obtain the mortuary vendor itemized statement of expenses and family resources, and ensure that total expenses are less than \$2,000.
- (7) Calculate the Division supplemental payment amount.
- (8) Sign and date *Request for Payment of Funeral Expenses* form to certify family eligibility and payment amount.
- (9) Obtain signatures of family and mortuary vendor on the *Request for Payment of Funeral Expenses* form via facsimile, e-mail, personal delivery, or mail.
- (10) Forward the signed form with all supporting paperwork to the director of Social Work and Addiction Services for final decision.

D. The director of Social Work and Addiction Services shall:

- (1) Approve or disapprove the application and notify family and mortuary vendor of the final decision.
- (2) Submit the approved application and *Request for Payment of Funeral Expenses* form with the vendor invoice and supporting paperwork to the director of Inmate Health Care Services and to the Department of Public Safety and Correctional Services, Finance Office for payment.
- (3) Maintain a file of each application and associated paperwork.

E. Disposition of Unclaimed Body

A managing official or designee shall coordinate disposition of the unclaimed body of a deceased indigent inmate in accordance with Health General Article, § 5-406, Annotated Code of Maryland.

F. A facility directive is not required.

.06 Attachment(s).

Appendix 1, *Request for Payment of Funeral Expenses*, DOC Form 270-2aR.

.07 History.

Rescission: DOC.270.0002 dated July 30, 2000 and DOC.270.0002 dated July 15, 1998.

.08 Distribution.

A, C, and L