



Information for Social Workers, Hospice and Hospital Employees about the Oregon Indigent Disposition Program

This information has been compiled to provide accurate and up-to-date information about the Oregon Indigent Disposition Program to community members who help families make arrangements for loved ones who have recently passed away.

The State of Oregon does not maintain a burial or cremation assistance fund. The Indigent Disposition Fund is not “burial assistance” and families cannot apply to receive funds to take care of their loved ones.

The fund is designed to help offset the costs that a funeral home incurs when they care for the remains of a deceased individual who has not been claimed by anyone with the right to control final disposition. In more simple terms- **if the deceased person’s family cannot be found or refuses to take financial responsibility for funeral arrangements, then the funeral home can apply to the fund to receive a small reimbursement.**

If you are working with a family who may be considering “walking away” from taking care of their loved one, they will have no control over what happens to the deceased’s body. What will this actually look like in practice?

- Under Oregon Law, there is a priority list of who gets to direct what happens to the deceased person’s body, starting with the spouse, then adult children, then parents, and so on. If the person with the highest priority on the list chooses to walk away, but someone else wants to direct and pay for services, the person who walked away may not agree with the decisions that the person who is willing to pay is making.
- If there is no one who is willing to pay or make arrangements to pay for final disposition, the funeral home is required by law to offer the body for donation to education or research facilities. If this happens, the body will be embalmed and may be used for up to two years after the time of their death. After the facility is done with using the body for education or research, the body will be cremated.
- Even if the body is not donated, the body is likely to be cremated, rather than buried, because this is typically the lowest-cost option for the funeral home. After cremation, the cremated remains - or ashes - become personal property. The funeral home is not required to give those cremated remains to the family. The funeral home may choose to have those ashes placed at a cemetery, they may scatter the ashes, or they may choose to keep them in storage.
- If someone directs the burial or cremation of their loved one and signs a contract for those services, then they have agreed to take financial responsibility for the funeral arrangements and can no longer “walk away.” Failure to follow through with payment could result in their bill being sent to a collections agency by the funeral home.

Remember- funeral homes are private businesses. When they handle an indigent case, they are losing money. The Oregon Indigent Disposition Fund is a limited fund, and it cannot reimburse them for the full cost of their services, it can only offset some of the expenses. Due to the legal requirements with indigent cases, the funeral home often spends far *more* staff time and resources on these cases and receives *less* money. If a family has any other means of paying for funeral costs, those should always be prioritized before the option of walking away from the care of their loved one is considered.

Please contact the Oregon Mortuary and Cemetery Board at 971-673-1504 if you have additional questions.

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