ALCOHOL, DRUG & MENTAL HEALTH SERVICES
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Alameda County Substitute Payee Program
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QIC 28005

Date: February 16, 2007

To: Sub–Payee Case Managers and Contact Staff

From: Elsie Garcia, Sub-Payee Unit Supervisor

RE: Deceased Clients

I am sorry to report that in the past year or so, a good number of our Sub-Payee clients have passed away. This has presented many questions regarding who should take responsibility and who will pay for burial/cremation arrangements. Therefore, please review the following information and guidelines carefully:

Remember that the Sub-Payee Program and all case managers and contact staff do not have any legal authority to sign any legal documents for our clients. The Sub-Payee Program is not a legal entity. We provide payee services only. You and Sub-Payee are only authorized to complete and sign forms and documents from Social Security or from Social Services; this means that you cannot and should not sign any contracts or agreements of any kind on behalf of our Sub-Payee clients. This includes signing for funeral or burial arrangements or for cremation authorizations. Nor should you call a funeral director or mortuary when a client passes away.

<u>If one of you Sub-Payee clients passes away, the next of kin should be contacted first</u>. The next of kin needs to contact the funeral director for burial arrangements. Case managers, contact staff or Sub-Payee workers should not contact a funeral director. If the next of kin does not wish to be involved, they should contact the Coroner's Office immediately, at **<u>(510) 268-7300</u>**. You may contact the Coroner's Office yourself; however, you will need to provide them with the name(s) of the next of kin.

If there is no next of kin and you are notified by the board and care home or hospital or another person or facility that your client has passed away, per the Public Administrator:

> "If there is no known next of kin, the hospital or the board and care operator must contact the Alameda County Public Administrator's Office and the Coroner's office, which both can be reached at **<u>(510)268-7300</u>**. They need to ask to speak to a Public Administrator Investigator. Their hours are Monday – Friday, 7:00 a.m. to 4:00 p.m. They can leave a message and they will be contacted by someone at the Public Administrator's office as soon as possible."
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> "If pre-need, prepaid arrangements have not been made by the deceased, or no one involved with the client had a Durable Power of Attorney for Health Care, the responsibility may fall upon the Public Administrator for funeral/cremation arrangements."
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> "<u>If you choose to have a mortuary pick up the deceased for storage, you should be aware that you will incur any expenses resulting from this action</u>. Neither the deceased, the Coroner's

Bureau, nor the Public Administrator's Office shall be held responsible for any such fees. Further, you are not to use the deceased's funds (including trust accounts) to pay for funeral arrangements or any other expenses that occur after death"

The above applies if there is no next of kin. We are not allowed to pay for any burial/cremation services out of the client's account if there is no next of kin. Sub-Payee will send the balance in the account to the Public Administrator for services rendered.

If there is next of kin and they are handling the funeral arrangements, you may submit a transmittal to send the ***available*** balance directly to the funeral director if you provide us with the invoice of bill from the funeral home along with your transmittal. If the next of kin pays for the arrangements themselves, you may submit a transmittal to reimburse them ***up to the available balance*** if they present proof of payment to you to send with your transmittal.

Please remember, we can only issue payments up to the available balance in our account. If the client has any overpayments remaining at Social Security, we need to pay Social Security first before any monies can be used for funeral/burial arrangements. Therefore, before you inform the next of kin that funds may be available for burial/cremation services, contact Sub-Payee to find out the amount of available funds.

If there is any balance left in a client's account after burial services are paid and there is a next of kin, please contact the Sub-Payee worker to determine whether or not the balance can be disbursed to them. There are certain regulations that govern this situation and each case must be determined individually as to how the balance will be disbursed.

These are basic guidelines, and hopefully this will answer your questions regarding what to do if your client passes away. Since each case is different and there are different circumstances involved for each client, always contact us if you should have any questions or need clarification as to how to handle the situation.

If you have any questions regarding the above information, please contact someone in the Sup-Payee program, or the Sub-Payee supervisor.