

**Division Circular 44
(N/A)**

DEPARTMENT OF HUMAN SERVICES

DIVISION OF DEVELOPMENTAL DISABILITIES

EFFECTIVE DATE: March 26, 2003

DATE ISSUED: March 26, 2003

(Rescinds Division Circular 44, "Death and Funeral Arrangements of a Person Receiving Services", issued October 25, 1999)

- I. **TITLE:** Death and Funeral Arrangements of a Person Receiving Services

- II. **PURPOSE:** To establish policies to be followed in the event of the death of a person receiving services and funeral arrangements.

- III. **SCOPE:** This circular applies to all individuals receiving residential services from the Division.

- IV. **POLICIES:**

The reporting of deaths shall be consistent with Division Circular 14.

An unusual death shall be reported to the appropriate county coroner or medical examiner and the results of any examination shall be requested.

Staff physicians within developmental centers may complete the declaration of death in accordance with N.J.A.C. 10:8-2.3

Once the declaration of death is complete, staff of the developmental center shall contact the county coroner or medical examiner in accordance with N.J.S.A. 30:4-103 and may request an autopsy prior to the body's removal from the center.

If the county coroner or medical examiner agrees to complete an autopsy, the coroner or examiner will arrange to move the body.

If the county coroner or medical examiner will not complete an autopsy, this decision shall be documented in the client record by developmental center staff. Developmental Center staff may proceed to make funeral arrangements. The attending physician shall complete the death certificate.

The Division component shall take appropriate steps to determine the funeral arrangements preferred by the individual, guardian or family.

Funeral arrangements, if made by the Division, shall be consistent with the policies of the Department of Human Services (Planning and Finance Circular PFC 84-2).

V. **GENERAL STANDARDS:**

- A. **Definitions:** - The following definitions shall have the meaning defined herein:

Funeral arrangements: means the plan for burial, cremation, interment or donation of the remains as well as religious or other associated ceremonies.

Next of kin: means spouse, mother, father, guardian or persons related by birth or marriage or other persons so indicated in the client record.

Unusual death: means a death that is sudden and unexpected including suicides or homicides.

- B. The death of an individual who is not receiving services from the Division but who has been placed in a facility licensed by the Division shall be reported by the licensee to the Chief, Office of Licensing and Inspections.
- C. In the event of an unusual death the Chief Executive Officer (CEO Regional Administrator, Chief, Office of Licensing and Inspections, or the Regional Supervisor, Bureau of Guardianship Services (BGS), as appropriate, shall request an autopsy by the medical examiner if not already scheduled. A copy of the report of the results of the examination shall also be requested.
1. In the event of an unusual death, the intention of the Division to request an autopsy shall be discussed with the next of kin.
 2. If the next of kin objects to an autopsy, the Division shall notify the medical examiner or coroner.

3. The medical examiner or coroner shall have final authority in the decision to perform an autopsy.
- D.** Individuals, guardians or families shall be encouraged to create a burial fund. Once such a fund is established, it shall not be used for any other purpose.

VI. PROCEDURES

A. Notification of Next of Kin

1. In the event of death, the CEO or Regional Administrator shall ensure that the guardian or family is notified of the death by:
 - a. Telephone; or
 - b. If there is not telephone, the local or State Police shall be contacted to visit the family and ask them to call the Division; or
 - c. If a. and b. are unsuccessful, a telegram informing the next of kin of the death and requesting contact with the Division shall be sent. Proof of delivery shall be requested.
2. Within three (3) working days, a letter of condolence from the CEO or Regional Administrator shall be sent following the initial contact.
3. Documentation of all attempts to contact the next of kin and the letter of condolence shall be kept in the client record.

B. Funeral arrangements

1. The Division shall maintain a record of the preference of the individual, guardian or family. If the individual cannot express a preference and there is no next of kin, documentation shall be placed in the client record.
2. Plans to donate the body or specific body organs shall be noted in the client record.

3. If no plans have been developed in the past, the next of kin shall be contacted and offered the opportunity to make funeral arrangements at their own expense.
4. In the event that there is no private arrangement, the Division shall assume responsibility for funeral arrangements in accordance with PFC 84-2.
5. The Division shall inform the next of kin in writing of the arrangements.
6. The client record shall indicate the funeral arrangements, burial site or the donation of the remains.

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