

Pennsylvania State Coroners Association

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Position Statement: Strengthening Legal Mandates and Resource Allocation to Support Coroners and Medical Examiners in Managing Unclaimed Remains

May 2025

Background: The growing number of unclaimed decedents—particularly from nursing homes, long-term care facilities, and hospice environments—necessitates decisive legal and procedural reform. Coroners and Medical Examiners (C/MEs), especially in smaller jurisdictions with limited budgets, are increasingly burdened by the emotional, logistical, and financial weight of managing these cases. A systemic, legally mandated solution is essential to ensure the dignity of the deceased and alleviate the administrative strain on medicolegal death investigation offices.

Proposed Legal Mandates to Assist in Managing Unclaimed Remains

1. Mandatory Collection of Next of Kin (NOK) and End-of-Life Information Upon Admission:

Every care facility should be legally required to collect verified NOK information during the intake process. This data must be updated biannually and include:

- Full contact details
- Relationship to the patient
- Consent forms for disposition, including cremation authorization (if applicable)
- Pre-arranged funeral and burial plans

2. Financial and Funeral Arrangement Disclosure Requirements:

Facilities must also be mandated to gather and document:

- Financial institution and probate-relevant information
- Whether funeral expenses have been pre-funded or arrangements made
- Identification of responsible parties for disposition
- Whether the patient has an irrevocable trust or account for final disposition expenses

3. **Disposition Planning at Intake:**

Facilities should require the patient (or guardian) to select a preferred method of final disposition—burial, cremation, or anatomical donation. Where no NOK is available, the facility must document the patient's preferences and secure signed cremation authorizations where applicable.

4. **Creation of Irrevocable Disposition Accounts:**

Facilities should set aside a nominal, monthly amount from the patient's funds into an irrevocable trust account. These funds would only be accessible upon presentation of a death certificate and would be used solely for cremation or burial expenses.

5. **Judicial Enforcement of Financial Accountability:**

As implemented in Beaver County, counties should be encouraged to seek judicial orders requiring facilities to bear financial responsibility for the cremation or removal of unclaimed decedents originating from their care. This is especially appropriate given the significant fees these facilities collect during a patient's lifetime.

6. **Mandatory Presence of a Social Worker or Disposition Counselor:**

Every facility must employ or have regular access to a social worker whose duties include counseling families about potential financial obligations and preparing for the possibility of unclaimed remains. Early intervention can mitigate the likelihood of abandonment due to financial constraints.

Recommended Data Access Points

- **Access to State and Interagency Databases (e.g., JNET):**

Coroners and MEs should be granted direct access to law enforcement and identity-verification databases such as the Justice Network (JNET) to:

- Identify NOK
- Confirm social security numbers
- Locate responsible parties
- Investigate decedent financial records relevant to probate

Resource Allocation Needs

1. **Increased Funding for Disposition Costs:**

Many C/ME offices operate under tight fiscal constraints, and the cost of handling unclaimed remains diverts funding from critical investigative functions. State and federal grants or designated county funding should be made available specifically for:

- Cremation services
- Body transport and storage

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- Caseworker follow-ups for NOK location

2. State-Level Unclaimed Remains Registry or Database:

A centralized registry could aid in reuniting remains with potential next of kin across county lines and reduce redundancy in case management efforts.

3. Standardized Training and Support for Rural Offices:

Smaller jurisdictions that handle lower volumes of unclaimed remains may lack experience and procedural infrastructure. Offering standardized protocols and access to legal counsel or regional support can ensure consistency and compliance with mandates.

Conclusion

Managing unclaimed remains is not only a logistical concern—it is a public health, legal, and moral obligation. By implementing targeted legal mandates at the facility level, mandating financial planning for final disposition, improving data access, and providing targeted funding and resources, we can reduce the burden on Coroners and Medical Examiners while safeguarding the dignity of all decedents. These reforms ensure that the most vulnerable at the end of life are not left forgotten—and that the public servants tasked with their care are not left unsupported.

Thank you for your support and assistance.

Respectfully,

Mandy Tinkey

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PSCA Executive Director