2018 Regular Session

HOUSE BILL NO. 137

## BY REPRESENTATIVE FOIL AND SENATOR CLAITOR

## CORONERS: Provides relative to disposition expenses of certain deceased persons

1	AN ACT
2	To amend and reenact R.S. $13:5715(A)(2)$ , relative to the payment of disposition expenses
3	of a deceased person; to provide for the payment of expenses by the coroner or the
4	state under certain circumstances; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. $13:5715(A)(2)$ is hereby amended and reenacted to read as follows:
7	§5715. Delivery of body; disposition of <u>deceased</u> paupers; anatomical gifts; kidney
8	or eye removal; limitation of liability
9	А.
10	* * *
11	(2) The coroner shall arrange for the disposition of <u>deceased</u> paupers,
12	preferably by a Louisiana licensed funeral home. The disposition expenses shall not
13	exceed the actual cost of the service, and shall be paid by the parish or municipality
14	in which the death occurred. However, such expenses for patients or residents of any
15	state-operated health care or treatment facility shall not be paid by the parish or
16	municipality in which the death occurred, but shall be paid by the state. The the state
17	or any municipality or parish may establish a maximum amount which it shall pay
18	for individual disposition expenses. The disposition expenses shall be paid by:
19	(a) The coroner of the parish where the decedent was domiciled, if the
20	decedent was domiciled in Louisiana at the time of his death.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(b) The coroner of the parish where the death occurred if the decedent was
2	not domiciled in Louisiana at the time of his death. The coroner shall assume
3	jurisdiction of the case, and accept the remains for future disposition as provided by
4	law.
5	(c) The state when the death occurred if the decedent was a patient or
6	resident of any state-operated healthcare or treatment facility.
7	* * *

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Provides for the payment of the disposition expenses of deceased paupers by the coroner of the parish of the decedent's death or domicile or by the state under certain circumstances.

<u>Present law</u> provides that the coroner shall arrange for the disposition of paupers, and that the disposition expenses shall not exceed the actual cost of the service.

<u>Present law</u> provides that the disposition expenses shall be paid by the parish or municipality in which the death occurred.

<u>Proposed law</u> provides that the disposition expenses shall be paid by the coroner of the parish of the decedent's domicile, if in Louisiana, and provides for payment by the coroner of the parish where the death occurred if the decedent was not domiciled in this state.

<u>Present law</u> provides that the expenses for patients or residents of state-operated healthcare or treatment facilities shall not be paid by the parish or municipality, but shall be paid by the state.

<u>Proposed law</u> retains <u>present law</u> but removes municipalities from the entities responsible for payment of the disposition expenses.

<u>Present law</u> authorizes the state or any municipality or parish to establish a maximum amount which it shall pay for individual disposition expenses.

Proposed law retains present law.

(Amends R.S. 13:5715(A)(2))