



# Fearing backup of unclaimed bodies, state raises payment to funeral homes

E-MAIL

FACEBOOK

TWITTER

GOOGLE

LINKEDIN

19

By **Matt Rocheleau**

GLOBE STAFF FEBRUARY 19, 2016

The state medical examiner's office, concerned that it could run out of room to store corpses, has nearly doubled the amount of money it offers funeral homes to bury unclaimed bodies.

The office must hold unclaimed bodies until a funeral home can be found that is willing to bury the bodies, but that process has been increasingly delayed, the medical examiner's office said.

The \$1,100 fee that the state used to offer to funeral homes to perform the burials was insufficient. Just three funeral homes had handled such burials recently, and most were done by a single home, the office said.

Last month, the office began offering an additional \$1,000 — or \$2,100 altogether.

“Their solution is working well so far,” Felix Browne, a spokesman for the Executive Office of Public Safety and Security, said in an e-mail.

He said that since the incentive program was put in place on Jan. 13, funeral directors have accepted 17 unclaimed bodies for burial.



In a report last month to the Legislature, Chief Medical Examiner Dr. Henry M. Niels had described the situation as “most concerning.”

“If action is not taken to address these issues in the near future, the OCME will be faced with the very real possibility of not being able to release decedents for burial, resulting in the OCME exceeding its storage capacity,” Niels wrote in the Jan. 15 report.

The medical examiner’s office says it takes exhaustive steps to identify bodies and to find next of kin to bury them. But sometimes the office is unable to do that, and other times next of kin refuse to claim the body. The office has no authority to force next of kin to claim a body.

When efforts fail, the office notifies the Department of Transitional Assistance, which looks for a funeral home to bury the body.

That process had been taking too long, according to Niels.

He said that the \$1,100 fee — which is paid by DTA — was too low to cover what it costs funeral homes to transport, prepare, and bury the bodies, and that finding cemetery space for such burials has been difficult.

The medical examiner’s office said it is using its current budget to pay for the \$1,000 stipend increase. The budget proposal Governor Charlie Baker unveiled last month includes a funding boost that would cover the cost of the stipend increase for fiscal 2017, the office said.

State Representative Harold P. Naughton, House chairman of the public safety committee, said he was concerned by Niels’s report and planned to look into the issue.

“We must find a realistic number that works for both our state budget and for the funeral home’s expenses,” he said in a statement.

The office said it handles an average of 100 such cases each year, and as of Niels’s mid-January



report, the office was holding 29 bodies awaiting assignment to a funeral home and burial.

Browne said that as of this week, there were 21 unclaimed bodies awaiting assignment, and another five were assigned but awaiting pickup by funeral homes.

The medical examiner's office can store up to 222 bodies at any given time across its facilities statewide, but a large number of those spaces are constantly filled by identified and claimed bodies, officials said.

The medical examiner's office faced controversy several years ago over unclaimed bodies piling up at the agency's South End headquarters.

Browne said the current problem is different.

"Back then, basic operations were not getting done," he said. "This is a potential storage issue that is being addressed proactively before it's a problem."

Dr. David Fowler, president of the National Association of Medical Examiners and chief medical examiner in Maryland, said that during the recession several years ago there were issues around the country with medical examiners retaining high numbers of unclaimed bodies.

"Logically, when many families were struggling financially," there were many more families who could not afford to pay for burials, he said.

But he said he has not heard of such problems being common in more recent years.

In some other parts of the country, the local government sets the stipend for unclaimed bodies and funeral homes are legally required to accept the payment and perform burials on a rotating basis, he said.

Rules also differ on whether unclaimed bodies can be cremated, which is typically a much cheaper alternative, he said. Massachusetts law prohibits cremation without approval from a next of kin, officials said.

Fowler said that medical examiners' offices should have contingency plans for scenarios when they run out of room to store bodies. He said that the offices could seek space at funeral homes or

hospitals, or could rent refrigerated containers or trailers.

But those options are often only temporary solutions because they come with an added cost.

Robert Lawler Jr. is the funeral director who buries most of the unclaimed and unidentified bodies in Massachusetts.

“The \$1,100 just hasn’t kept up. It’s been the same for at least 30 years,” said Lawler, who runs Robert J. Lawler & Crosby funeral home in West Roxbury with his brother.

Lawler said that in most cases the \$1,100 payment was enough to cover his costs, but that was typically only because he spent hours working the phones trying to hunt down affordably priced spaces in municipal cemeteries or graves that individuals or organizations are willing to donate.

In order for the state to entice more funeral directors to perform such burials, he said, the state would have to either offer even larger amounts than \$2,100 — likely in the \$3,500 to \$4,000 range — or make it easier to find inexpensive cemetery spaces.

“There has to be a long-term solution,” said Lawler.

Financially speaking, the work is not worth the time Lawler puts in. But he said he doesn’t take on the cases to make money.

“It’s the right thing to do,” he said. “You can’t leave these poor guys waiting there forever. I get a lot of satisfaction out of doing it.”

Mike Pojman, assistant headmaster the Roxbury Latin School in West Roxbury, learned about the work Lawler does to bury unclaimed and unidentified bodies and four years ago launched a program to have students from the school attend the burials to help honor the dead.

He said the state should raise the stipend and consider loosening its restrictions on cremation.

“The logistics are really getting in the way of the dignified treatment of these people,” he said. “It’s a total shame.”

*Matt Rocheleau can be reached at [matthew.rocheleau@globe.com](mailto:matthew.rocheleau@globe.com). Follow him on Twitter [@mrochele](https://twitter.com/mrochele)*

Get **Today's Headlines** from the Globe in your inbox:

[Privacy Policy](#)

SHOW 19 COMMENTS

## Top 10 Trending Articles

Most Viewed

Most Commented

Most Shared

Newton mourns victims of restaurant crash

Did Bill Clinton violate election rules in Mass.?

Looking to get out after the 2016 election? Here's where yo...

Massachusetts Democratic primary

Spotlight Church abuse report: Church allowed abuse by pri...

Bernie Sanders wins by just one vote in Methuen

### Learn more

Parents of Boston Latin student threatened with lynching s...

[SUBSCRIBE](#) [BOSTON GLOBE INSIDERS](#) [EPAPER EDITION](#) [NEWS IN EDUCATION](#)

Bill Clinton's New Bedford rally raises more concerns

[MY ACCOUNT](#)

[LOGOUT](#)

Why working in the restaurant industry can be hard on you...

[MANAGE MY ACCOUNT](#)

[DOWNLOAD CUSTOMER SERVICE APP](#)

Why Donald Trump trumps Donald Drumpf

### SOCIAL

[FACEBOOK](#)

[TWITTER](#)

[GOOGLE+](#)

### CONTACT

[HELP](#)

[FAQS](#)

[GLOBE NEWSROOM](#)

[ADVERTISE](#)

### MORE

[ARCHIVES](#)

[PRIVACY POLICY](#)

[TERMS OF SERVICE](#)

[TERMS OF PURCHASE](#)

[YOUR AD CHOICES](#)

[WORK AT BOSTON GLOBE MEDIA](#)

