



OFFICE OF CONTRACT ADMINISTRATION

Memorandum

VIA DocuSign

To: **ATTENTION:** Tarrant County, Texas
Address: 100 East Weatherford Street, Fort Worth, TX 76196
ATTN: Michele Heckman, mlheckman@tarrantcountytx.gov, Phone: 817.531.5641

Date: September 13, 2024

Re: Termination of Interlocal Agreement between the University of North Texas Health Science Center and Tarrant County, TX, HSC Contract # 2024-0138 | CO# 142387

The purpose of this letter is to provide notice of termination under Section III of our Interlocal Agreement. The University of North Texas Health Science Center (UNTHSC) at Fort Worth has ended its Bioskills Program and is no longer accepting County donations.

Sincerely,

DocuSigned by:

60BFD635B4424B3

Name: Ruth Roman, MPH
Title: Chief Operating Officer
Executive Vice President, Office of Operations & Business Management (OBM)
University of North Texas, Health Science Center

Enclosures

THE UNIVERSITY *of* NORTH TEXAS
HEALTH SCIENCE CENTER *at* FORT WORTH

TEL: 817 735-2000 | 3500 Camp Bowie Blvd. Fort Worth, Texas 76107 | unthsc.edu

COPY
provided
for
reference

001142387



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER _____

PAGE 1 OF 10

DATE: 01/09/2024

**SUBJECT: APPROVAL OF INTERLOCAL AGREEMENT BETWEEN
TARRANT COUNTY AND THE UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER CONCERNING TARRANT COUNTY'S
BURIAL PROGRAM**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve Interlocal Agreement (ILA) between Tarrant County and the University of North Texas Health Science Center (UNTHSC) for the disposition of indigent and unclaimed minor children or adult decedents.

BACKGROUND

Section 694.002 of the Texas Health and Safety Code authorizes the commissioners court of each county to provide for the disposition of the body of a decedent pauper by burial, donation to a medical facility, or cremation.

Section 791.011(C)(2) of the Texas Government Code permits agreements between local governments and state agencies to provide for this governmental function and service.

On October 2, 2018, the Commissioners Court, through Court Order #128682 approved an ILA between Tarrant County and the UNTHSC for the disposition of indigent and unclaimed minor children or adult decedents.

Since then, the term of the ILA has been extended in one (1) year increments. On December 6, 2022, the Commissioners Court through Court Order #139842, approved the current ILA with UNTHSC for the term of January 1, 2023, through December 31, 2023.

With renewal of this ILA, Tarrant County will have the option to provide UNTHSC decedents as a donation for clinical training, research, and medical education programs, after consideration of interment duties provided by section 711.002(a), Texas Health and Safety code, are resolved. UNTHSC will perform cremations on decedents donated by Tarrant County and accepted by UNTHSC for its programs, at no charge to Tarrant County or the decedent's family, with the ashes being returned to the decedent's family. For decedents that cannot be utilized for medical training, there will be a \$300.00 fee per deceased charged to the County for cremation.

The term of the ILA is January 1, 2024 through December 31, 2024.

The ILA has been approved as to form by the Criminal District Attorney's Office.

SUBMITTED BY:	Human Services	PREPARED BY: APPROVED BY:	Tanja Seib Lisa Martin
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COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER: _____ DATE: 01/09/2024 PAGE 2 OF 10

FISCAL IMPACT

Funding in the amount of \$46,660.00 is available in 10000-2024 General Fund/5210100000 Human Services/572015 County Burials.

II.

The UNTHSC will accept the adult decedent provided by the County and process the decedent in compliance with applicable laws and established Texas State Anatomical Board policies and procedures for willed bodies, including disposition of any remains. All decedents, including, without limitation, decedents with infectious diseases, will be handled and boxed for cremation by UNTHSC employees. County shall notify UNTHSC when any infectious disease cases are provided by County to UNTHSC.

III.

The Term of this ILA shall commence on January 1, 2024 through December 31, 2024. The manner and means for receipt and handling of the body of a deceased pauper by UNTHSC will be governed by terms and conditions separately described by a process mutually agreed upon by and between County and UNTHSC which may be modified from time to time as the parties collectively determine is consistent with the Texas Health and Safety Code, and to meet the purpose, intent and needs of the parties. Either party may terminate the ILA upon thirty (30) days advance written notice to the other party or upon mutual consent. This ILA may be annually renewed upon mutual written agreement.

IV.

County and UNTHSC agree and acknowledge that each entity is not an agent of the other entity and that each entity is responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with this ILA, to the extent allowed by Texas law.

V.

Compliance with Laws. In providing the services required by this Agreement, UNTHSC must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. UNTHSC shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

COUNTY OF TARRANT, TEXAS

THE UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER



BY: Judge Tim O'Hare


DocuSigned by:



BY: Kenneth Louis

Chief Financial Officer

APPROVED AS TO FORM



Criminal District Attorney's Office

By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

Certification of Funds Available
for the Amount of \$ 35,400.00



KIMBERLY M. BUCHANAN, CPA
COUNTY AUDITOR

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**TERMS, CONDITIONS AND PROCEDURES RELATING TO DISPOSITION
OF INDIGENT AND UNCLAIMED DECEDENTS**

Between
TARRANT COUNTY
And
UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE
CENTER

RECITALS

- An interlocal agreement was heretofore entered into by and between Tarrant County ("County") and The University of North Texas Health Science Center (UNTHSC) for the disposition of bodies of deceased paupers.
- The interlocal agreement contemplated that the County and UNTHSC would provide for the manner and means for receipt and handling of the body of a deceased pauper by UNTHSC by a separate document.
- This document governs the terms and conditions for receipt and handling of the body of a deceased pauper by UNTHSC.
- This process may be modified by mutual agreement from time to time as the parties determine to be consistent with the Texas Health and Safety Code, and to meet the purpose, intent and needs of the County and UNTHSC.

POLICY

It is the policy of Tarrant County Commissioners Court as authorized under TEXAS HEALTH AND SAFETY CODE, §694.002, TEXAS LOCAL GOVERNMENT CODE,

§81.027, and other applicable statutes, to provide for the disposition of remains of qualifying indigent persons in Tarrant County (County), by allowing for donation of eligible decedents under §694.002 to University of North Texas Health Science Center (UNTHSC).

ELIGIBILITY CRITERIA

An eligible decedent must i) be a resident of Tarrant County, and ii) there are absolutely no resources from the estate or from family members to cover costs of disposition, and iii) is not a person subject to the provisions of Chapter 49, TEXAS CODE OF CRIMINAL PROCEDURE.

PROCEDURE

1. Subject to and consistent with the provisions of Chapter 49 TEXAS CODE OF CRIMINAL PROCEDURE, the UNTHSC Willied Body Program (UNTHSC) will be the first point of contact to determine the disposition of indigent deceased Tarrant County residents after due diligence has been conducted by UNTHSC to assure that no deceased is subject to the provisions of Chapter 49, TEXAS CODE OF CRIMINAL PROCEDURE. UNTHSC will work with the office of the Tarrant County Medical Examiner to accomplish this due

diligence. UNTHSC staff will be available 24 hours a day to accept calls and make removals when necessary.

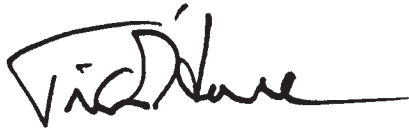
2. Subject to the provisions of these procedures, the County will donate to UNTHSC an eligible decedent if he/she:
 - a. left no person authorized to make the disposition election decision under Texas Health and Safety Code §711.002;
 - b. is determined to be indigent; and
 - c. is not known to have practiced a religious custom that otherwise governs the manner of disposition.
3. UNTHSC will exercise diligent efforts to ascertain whether the deceased practiced any religious custom that otherwise governs the manner of disposition and consider the religious affiliation of the deceased individual to determine if any known canons, practices, or beliefs of such religion oppose, or would be undermined by, accepting such deceased body to its medical facility or an eventual cremation.
4. UNTHSC will exercise diligent efforts to ascertain the identities, if any, of any next of kin of the deceased, including the existence of any person listed under TEXAS HEALTH & SAFETY CODE §711.002(a).
5. UNTHSC will make contact with any of the following persons, in the priority listed below, who will have the right to control the disposition, including cremation or donation to UNTHSC of the decedent's remains, or who shall inter the remains and be liable for the reasonable cost of interment:
 - (a) person designated in a written instrument signed by the deceased;
 - (b) surviving spouse of deceased;
 - (c) surviving adult child of the deceased;
 - (d) surviving parent of the deceased;
 - (e) surviving adult sibling of the deceased;
 - (f) a duly qualified executor or administrator of the deceased's estate; or
 - (g) adult person in the next degree of kinship in the order named by law to inherit the estate of the deceased.
6. UNTHSC will determine if deceased was indigent and discuss TEXAS HEALTH & SAFETY CODE §711.002 disposition options with families including cremation, donation or burial, and factors bearing on these options such as age of deceased, religion, veteran status, etc.
7. If the §711.002 authorized person fails to make final arrangements or appoint another person to make final arrangements for disposition of the deceased before the earlier of 6 days after receiving notice of decedent's death or by the 10th day after the decedent's death the authorized person is presumed to be unable or unwilling to control the disposition and his/her right to control the disposition is passed to any other person in the same statutory priority class under §711.002(a), or if none, to the next priority class listed in §711.002(a).

9. UNTHSC will require §711.002 authorized persons to execute Tarrant County's Election on Disposition of Remains form, confirming the election made by the person authorized to make the disposition decision under §711.002.
10. UNTHSC will inform those families who reject the option of donation to medical research that they have a cremation option at Tarrant County's expense with return of the ashes to the family. Cremation will be arranged and handled by UNTHSC at the cost to Tarrant County of \$300 per cremation.
11. UNTHSC will invite families of donors to its Legacy of Life Ceremony, organized each year specifically for the donor families. Families will have an opportunity to visit the UNTHSC campus, meet the medical staff and health professional students and learn how the gift of donation benefited their education, contingent on current protocol for public gatherings.
12. If deceased was 17 years of age or younger, the only option discussed will be cremation with ashes being return to the family and UNTHSC will provide to the deceased family an acknowledgment that the deceased will not be used for medical training or research purposes, but will only be cremated with ashes returned to the family.
13. If the deceased is a veteran with family and the family elects not to donate to UNTHSC or allow for disposition by cremation, UNTHSC will assist veterans' families with coordinating arrangements for burial at DFW National Cemetery. UNTHSC will coordinate all approvals with DFW National Cemetery for the veteran burial. The family will then be referred to a funeral home of their choice for removal and burial at DFW National Cemetery. If the veteran has no family and is not able to be utilized for medical education and research the veteran will be cremated and interred at DFW National Cemetery. If the veteran is able to be utilized for medical education and research upon completion of the studies the veteran will be cremated and interred at DFW National Cemetery.
14. If the decedent's family has religious objections to cremation or donation to UNTHSC, UNTHSC will refer them to a funeral home that accommodates their religious beliefs and customs for the family to make their own arrangements.
15. UNTHSC will discuss with families the options of the Willed Body Program for those decedents not otherwise excluded by age, religion or the request for veteran burial. UNTHSC will explain that if donation to the Willed Body Program for medical research is chosen, there is no cost to the family. After medical studies are complete and the deceased is cremated, the ashes will be returned to the family, if wanted. In addition, UNTHSC will discuss with the family disposition options for the deceased's ashes. Those options include the return of ashes to the family, burial of ashes at DFW National Cemetery for qualifying veterans, or burial (spreading of ashes) at sea, with each option at no cost to the donor's family.
16. UNTHSC will prepare and submit to the County the necessary paperwork for acceptance by UNTHSC as required by Texas State Anatomical Board and *Texas Health and Safety Code*.

17. UNTHSC will provide County with notice of non-acceptance of donated deceased within 30 days of removal.
18. At the first of each month, UNTHSC will furnish to the County:
 - a. a listing of each deceased accepted by UNTHSC for medical education or research;
 - b. a listing of each deceased not accepted by UNTHSC for medical education or research;
 - c. an invoice listing each cremation performed that month and reflecting whether the family elected cremation directly, or if the body was not useable to UNTHSC for donation and thus cremated;
 - d. a death certificate;
 - e. cremation affidavit; and
 - f. the "Election on Disposition of Remains" form.
19. If a death certificate cannot be obtained for fetal remains weighing less than 350 grams, or if the weight is unknown, a fetus aged 20 weeks or less as calculated pursuant to 25 Texas Administrative Code § 181.7, UNTHSC will furnish to the County a document certifying a death certificate was not mandatory and could not be obtained for the fetal remains. The document shall state the specific reason a death certificate was not mandatory and detail any efforts to obtain a fetal death certificate. This document shall be considered an "other death record" under Health and Safety Code § 716.051(2).
20. For each cost of cremation owed by the County, UNTHSC will provide an explanation as to the reason for cremation (e.g., unsuitable for medical education or research by UNTHSC, etc.).
21. If a family agreed to donation but the donor was unsuitable to UNTHSC for medical education or research purposes, UNTHSC will cremate and return ashes to the donor family at no charge to the county.
22. UNTHSC will handle the decedent in compliance with applicable laws and established Texas State Anatomical Board policies and procedures and will at all times handle the decedent in keeping with acceptable standards of healthcare practice, dignity and respect, including in the manner and means of disposition of any remains.

Agreed this 9th day of January, 2024.

COUNTY OF TARRANT, TEXAS



By: Judge Tim O'Hare

THE UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER

DocuSigned by:



By: Kempton Louis
Chief Financial Officer

DocuSign Envelope ID: DAA5A2BD-0570-4B9C-8AEF-3ED060571D08

APPROVED AS TO FORM



Criminal District Attorney's Office

By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

Certificate Of Completion

Envelope Id: D8CA208744034D7BAF894FBA826EAC06		Status: Completed
Subject: Complete with DocuSign: HSC 2024-0138 Tarrant Co_ILA_Center for Anatomical Services Term Ltr.do...		
Source Envelope:		
Document Pages: 12	Signatures: 1	Envelope Originator:
Certificate Pages: 4	Initials: 0	UNTS System Contract Administration
AutoNav: Enabled		1112 Dallas Drive
Envelopeld Stamping: Enabled		Suite 4000
Time Zone: (UTC-06:00) Central Time (US & Canada)		Denton, TX 76205
		UNTScontractadmin@untsystem.edu
		IP Address: 66.52.12.119

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EVP & Chief Operating Officer		Signed: 9/13/2024 3:57:10 PM
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ID: b789c14a-fe5f-4024-b677-ae07a08a0784

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Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
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Certified Delivered	Security Checked	9/13/2024 3:53:40 PM
Signing Complete	Security Checked	9/13/2024 3:57:10 PM
Completed	Security Checked	9/13/2024 3:57:10 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact University of North Texas System:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: UNTScontractadmin@untsystem.edu

To advise University of North Texas System of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us

at UNTScontractadmin@untsystem.edu and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from University of North Texas System

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email

to UNTScontractadmin@untsystem.edu and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with University of North Texas System

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to UNTScontractadmin@untsystem.edu and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify University of North Texas System as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by University of North Texas System during the course of your relationship with University of North Texas System.