

SENATE BILL 196 (LRB -2325)

An Act to amend 69.01 (6g), 69.18 (1) (c) and 69.18 (1) (d); and to create 69.01 (12g), 69.01 (12m) and 69.18 (1) (cm) of the statutes; relating to: authorizing a hospice nurse to make a pronouncement of death.

2003

10-01. S. Introduced by Senators **Roessler, A. Lasee, Lassa, Erpenbach, Robson, Wirch and Decker**; cosponsored by Representatives **Underheim, Gielow, Hundertmark, Ladwig, Albers, Balow, Hahn, Huber, J. Lehman, Owens, Taylor, M. Williams and Wasserman.**

06-12. S. Read first time and referred to committee on Health, Children, Families, Aging and Long Term Care 220

09-16. S. Public hearing held.

09-17. S. Executive action taken.

09-23. S. Report passage recommended by committee on Health, Children, Families, Aging and Long Term Care, Ayes 8, Noes 1 372

09-23. S. Available for scheduling.

09-30. S. Placed on calendar 10-1-2003 by committee on Senate Organization.

10-01. S. Read a second time 396

10-01. S. Ordered to a third reading 396

10-01. S. Rules suspended 396

10-01. S. Senator Panzer added as a coauthor 396

10-01. S. Senator Hansen added as a coauthor 396

10-01. S. Senator Darling added as a coauthor 396

10-01. S. Senator Moore added as a coauthor 396

10-01. S. Senator Risser added as a coauthor 396

10-01. S. Read a third time and **passed** 396

10-01. S. Ordered immediately messaged 398

10-09. A. Received from Senate 425

10-09. A. Read first time and referred to committee on Health 425

10-14. A. Executive action taken.

10-27. A. Report concurrence recommended by committee on Health, Ayes 16, Noes 0 463

10-27. A. Referred to committee on Rules 463

2004

03-10. A. Rules suspended to withdraw from committee on Rules and take up 831

03-10. A. Read a second time 831

03-10. A. Ordered to a third reading 831

03-10. A. Rules suspended 831

03-10. A. Read a third time and **concurrred in** 831

03-10. A. Ordered immediately messaged 831

03-10. S. Received from Assembly concurred in.

**2003
ENROLLED BILL**

03en SB-196

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03 2325/2

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic relax

3/11/04
Date

[Signature]
Enrolling Drafter

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2003 SENATE BILL 196

June 12, 2003 – Introduced by Senators ROESSLER, A. LASEE, LASSA, ERPENBACH, ROBSON, WIRCH and DECKER, cosponsored by Representatives UNDERHEIM, GIELOW, HUNDERTMARK, LADWIG, ALBERS, BALOW, HAHN, HUBER, J. LEHMAN, OWENS, TAYLOR, M. WILLIAMS and WASSERMAN. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

1 **AN ACT to amend** 69.01 (6g), 69.18 (1) (c) and 69.18 (1) (d); and **to create** 69.01
2 (12g), 69.01 (12m) and 69.18 (1) (cm) of the statutes; **relating to:** authorizing
3 a hospice nurse to make a pronouncement of death.

Analysis by the Legislative Reference Bureau

Under current law, a hospital, nursing home, or hospice that is the place of death of an individual may prepare a certificate of death for the individual and give it to the funeral director or other person who is authorized to move the corpse for final disposition. The physician of the deceased individual or, in certain circumstances, the coroner or medical examiner, must, within five days after the pronouncement of death, complete and sign a medical certificate for the death and mail the certificate or, within six days after the pronouncement of death, present the certificate to the funeral director or other person, who must file the certificate with the local registrar.

This bill authorizes a hospice nurse (a registered nurse who is employed by or under contract with a hospice) in a hospice that is directly involved with the care of a hospice patient to pronounce the date, time, and place of the patient's death, if the patient was generally under the care of a physician at the time of death and the death was anticipated.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1 **SECTION 1.** 69.01 (6g) of the statutes is amended to read:

2 69.01 (6g) “Date of death” means the date that a person is pronounced dead by
3 a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner,
4 or hospice nurse.

5 **SECTION 2.** 69.01 (12g) of the statutes is created to read:

6 69.01 (12g) “Hospice” has the meaning given in s. 50.90 (1).

7 **SECTION 3.** 69.01 (12m) of the statutes is created to read:

8 69.01 (12m) “Hospice nurse” means a registered nurse, as defined in s. 146.40
9 (1) (f), who is employed by or under contract to a hospice.

10 **SECTION 4.** 69.18 (1) (c) of the statutes is amended to read:

11 69.18 (1) (c) A hospital, a nursing home, as defined in s. 50.01 (3), or a hospice,
12 ~~as defined in s. 50.90 (1), which that~~ is the place of death of a person may prepare a
13 certificate of death for the person and give the certificate to the person who moves
14 the corpse under par. (a).

15 **SECTION 5.** 69.18 (1) (cm) of the statutes is created to read:

16 69.18 (1) (cm) 1. For purposes of preparation of the certificate of death and in
17 accordance with accepted medical standards, a hospice nurse in a hospice that is
18 directly involved with the care of a hospice patient who dies may pronounce the date,
19 time, and place of the patient’s death if all of the following apply:

20 a. The patient was generally under the care of a physician at the time of death.

21 b. The death was anticipated.

22 2. Subd. 1. may not be construed to authorize a hospice nurse to certify under
23 sub. (2) (b) the cause of the patient’s death.

24 **SECTION 6.** 69.18 (1) (d) of the statutes is amended to read:

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1 69.18 (1) (d) A hospital, nursing home, or hospice, ~~as defined in s. 50.90 (1) (c),~~
2 may not release a corpse to any person under par. (a) unless the person presents a
3 notice of removal on a form prescribed by the state registrar, in duplicate, to the
4 administrator of the hospital, nursing home, or hospice. The administrator shall
5 retain one copy and forward the other copy to the local registrar of the registration
6 district in which the hospital, nursing home, or hospice is located.

7

(END)