AN ACT to amend 49.785 (1r) (a), 59.36, 59.365 (1) (intro.), 59.365 (1) (a) and
59.365 (1) (c); and to create 59.365 (3) of the statutes; relating to: fees charged
for certain coroner or medical examiner services.

Analysis by the Legislative Reference Bureau

This bill expands a moratorium on fee increases for certain fees charged by a
county for coroner or medical examiner services and creates an exception to this
moratorium.

Under current law, from July 14, 2015, to April 17, 2017, a county may not
charge a funeral home, cemetery, or crematorium an amount that exceeds the
amount that was in effect on April 17, 2015, for any of the following fees: 1) fees for
services rendered by a coroner; 2) fees assessed for the signing of a death certificate
by a coroner or medical examiner; or 3) fees assessed related to transportation
services. If on or after April 18, 2017, a county increases the amount of any of the
fees specified above, any increase may not exceed the annual percentage change in
the U.S. consumer price index for all urban consumers, U.S. city average, for the 12
months ending on December 31 of the year before the increase.

Under this bill, the moratorium is expanded to cover a fee charged to any person
by a county for the purposes specified above, and the purpose listed under item 1)
above is expanded to cover fees for services rendered by a coroner or medical
examiner. The bill also clarifies that fees for services rendered by a medical examiner
may not exceed an amount that is reasonably related to the actual cost of providing
the service.
Also under this bill, with some exceptions, if a county that had been providing coroner or lay medical examiner services begins providing physician medical examiner services under an intergovernmental cooperation agreement, at the time that the agreement takes effect, the board may establish the fee assessed for the signing of a death certificate by a coroner or medical examiner at an amount that exceeds the amount that was in effect on April 17, 2015, and without regard to any changes in the U.S. consumer price index.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 49.785 (1r) (a) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

49.785 (1r) (a) Fees for services rendered by a coroner or medical examiner.

SECTION 2. 59.36 of the statutes is amended to read:

59.36 Coroner and medical examiner; fees. The board shall set the fees for all services rendered by the coroner or medical examiner. The fees may not exceed an amount that is reasonably related to the actual and necessary cost of providing the service.

SECTION 3. 59.365 (1) (intro.) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

59.365 (1) (intro.) From July 14, 2015, to April 17, 2017, the board may not charge a funeral home, cemetery, or crematorium an amount that exceeds the amount that was in effect actually charged on April 17, 2015, for any of the following fees:

SECTION 4. 59.365 (1) (a) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

59.365 (1) (a) Fees for services rendered by a coroner or medical examiner.
SECTION 5. 59.365 (1) (c) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

59.365 (1) (c) Fees assessed related to coroner or medical examiner transportation services.

SECTION 6. 59.365 (3) of the statutes is created to read:

59.365 (3) (a) Notwithstanding subs. (1) (a) and (b) and (2), if a board that had been providing coroner or lay medical examiner services begins providing physician medical examiner services under an intergovernmental cooperation agreement under s. 66.0301 after the effective date of this subsection .... [LRB inserts date], at the time that the agreement takes effect, the board may one time establish the initial fee assessed for the signing of a death certificate by a medical examiner at an amount exceeding the amount that was in effect on April 17, 2015, and without regard to any change in the U.S. consumer price index.

(b) This subsection does not apply to a county with a population of more than 300,000.

SECTION 7. Initial applicability.

(1) The treatment of section 49.785 (1r) (a) of the statutes first applies to fees imposed with respect to individuals receiving funeral, burial, and cemetery expenses aid who die on September 1, 2015.

(END)