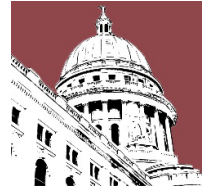

Wisconsin Legislative Council

MINUTES



STUDY COMMITTEE ON UNIFORM DEATH REPORTING STANDARDS

411 South, State Capitol
Madison, WI
August 17, 2022
10:00 a.m. – 2:33 p.m.

CALL TO ORDER AND ROLL CALL

Chair Ballweg called the meeting to order and determined that a quorum was present.

COMMITTEE MEMBERS
PRESENT: Sen. Joan Ballweg, Chair; Rep. Jesse James, Vice Chair; Sen. LaTonya Johnson;
Rep. Steve Doyle; and Public Members Lynda Biedrzycki, Sara Kohlbeck, Brian
Michel, Teresa Paulus, Kerry Riemer, and Tara Steininger.

COMMITTEE MEMBER
EXCUSED: Public Member Tim Candahl.

COUNCIL STAFF PRESENT: Amber Otis, Senior Staff Attorney; and Kelly McGraw, Staff Attorney.

APPEARANCES: Agnieszka Rogalska, M.D., Chief Medical Examiner, Dane County Medical
Examiner's Office, and Acting President, Wisconsin Coroners and Medical
Examiners Association; James Klemmer, Heritage Funeral Homes, on behalf of
the Wisconsin Funeral Directors Association, and Nicole R. Krause, Krause
Funeral Homes and Cremation Service, Inc., on behalf of the Funeral Service &
Cremation Alliance of Wisconsin; Heather Dykstra, Senior Data Analyst, and
Susanna Joy, Project Coordinator, National Center for Fatality Review &
Prevention; Kate Jankopvsky, Childhood Adversity Prevention Manager, violence
and Injury Prevention – Mental Health Promotion Branch, Colorado Department
of Public Health Environment; and Michael J. Staley, Ph.D., Psychological
Autopsy Examiner and Suicide Prevention Research Coordinator, Office of the
Medical Examiner, Utah Department of Health and Human Services.

APPROVAL OF THE MINUTES FROM THE JULY 18, 2022 MEETING

Senator Johnson moved, seconded by Public Member Paulus, to approve the minutes of the July 18, 2022 meeting. The motion passed by unanimous consent.

DESCRIPTION OF DISTRIBUTED MATERIALS BY LEGISLATIVE COUNCIL COMMITTEE STAFF

Amber Otis, Senior Staff Attorney, and Kelly McGraw, Staff Attorney, provided an overview of information provided in Legislative Council Memo No. 1, [*Information in Response to Committee Requests at July 18, 2022 Meeting*](#) (August 10, 2022).

PRESENTATION BY THE WISCONSIN CORONERS AND MEDICAL EXAMINERS ASSOCIATION

Agnieszka Rogalska, M.D., Chief Medical Examiner, Dane County Medical Examiner's Office, and Acting President, Wisconsin Coroners and Medical Examiners Association

Dr. Rogalska explained that the Wisconsin Coroners and Medical Examiners Association is a voluntary organization that educates people who conduct medicolegal death investigations, primarily through conferences and printed materials on best practices.

Dr. Rogalska further explained that medicolegal investigations focus on conducting an independent investigation separate from law enforcement and family views. She also stated that investigators aim to treat all investigations similarly without presumptions about the manner of death. She shared a 2018 report on incomplete death certification for overdose deaths that prompted a successful public health effort to prevent overdoses.

Dr. Rogalska stated that the main barriers to quality and timely death data are limited staff, limited time, and high caseloads. She also discussed other barriers, including record access, knowledge of crisis information from other counties, and biased sources of information.

Dr. Rogalska addressed questions from the committee on several topics, including: (1) the impact of older technological systems on timely reporting; (2) the impact of distribution of printed materials at conferences; (3) the availability of other people to assist coroners or medical examiners in conducting next-of-kin interviews; (4) coroner and medical examiner relationships with decedents' families; and (5) resource constraints for coroners and medical examiners.

PRESENTATION BY FUNERAL DIRECTOR REPRESENTATIVES

James Klemmer, Heritage Funeral Homes, on behalf of the Wisconsin Funeral Directors Association; and Nicole R. Krause, Krause Funeral Homes and Cremation Service, Inc., on behalf of the Funeral Service & Cremation Alliance of Wisconsin

Mr. Klemmer and Ms. Krause described a funeral director's role in creating death records. They explained that funeral directors serve the family of the deceased person by coordinating to provide services and complete death records. They elaborated that, in the course of providing this service, funeral directors develop a close working relationship with the family. They discussed how funeral directors complete the death record and acquire information on the cause and manner of death from a medical examiner, coroner, or doctor. They noted that although doctors must provide this information within five days, funeral directors may, at times, encounter delays due to difficulty contacting doctors and reading their responses, which are often faxed.

Mr. Klemmer and Ms. Krause then addressed questions from the committee on several topics, including: (1) access to electronic health records; (2) coordination with public health; (3) relationships with the family of the deceased person; (4) differences in cremation permit fees and forms by county;

(5) professional development requirements for funeral directors; and (6) veteran status identification for deceased persons.

PRESENTATION BY THE NATIONAL CENTER FOR FATALITY REVIEW & PREVENTION

Heather Dykstra, Senior Data Analyst, and Susanna Joy, Project Coordinator

Ms. Dykstra and Ms. Joy described the role of the National Center for Fatality Review & Prevention (NCFRP). They explained that NCFRP catalyzes prevention efforts by collecting data generated from different sources and making it available for prevention efforts. They stated that common barriers to child death review teams include funding, access to records, and standardization of death scene investigations. Also, they demonstrated the Child Dynamic Analysis and Statistics Hub (commonly called “Child DASH”), a password-protected online portal to view and sort de-identified death information.

Ms. Dykstra and Ms. Joy addressed questions from committee members on: (1) state access to and public familiarity with Child DASH; and (2) Wisconsin child death review teams’ interaction with the NCFRP.

PRESENTATION BY KATE JANKOVSKY, CHILDHOOD ADVERSITY PREVENTION MANAGER, VIOLENCE AND INJURY PREVENTION – MENTAL HEALTH PROMOTION BRANCH, COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Ms. Jankovsky described Colorado’s suicide investigation form, which was implemented to leverage death scene investigator expertise. She explained that the form was shortened in response to feedback after implementation. She noted that Colorado has a “mini-grant program” to incentivize coroners to use the form. Eleven counties currently use the suicide investigation form, with those counties accounting for 43 percent of suicides in Colorado.

Ms. Jankovsky addressed questions from the committee on: (1) the scope of the mini-grant program; (2) whether the suicide investigation form contains support for interviewees; and (3) how the suicide investigation form is administered within the state government.

PRESENTATION BY MICHAEL J. STALEY, PH.D., PSYCHOLOGICAL AUTOPSY EXAMINER AND SUICIDE PREVENTION RESEARCH COORDINATOR, OFFICE OF THE MEDICAL EXAMINER, UTAH DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mr. Staley described Utah’s next-of-kin interviews to expand suicide data collection. He explained that he conducts next-of-kin interviews with a team of graduate students and medical residents, and also produces a timely internal report of recent suicide data for stakeholders. He noted that this office resides in the centralized Utah Office of the Medical Examiner, in part to increase access to records. He also explained that his team assesses an interviewee’s needs and may make referrals for services.

Mr. Staley addressed questions from the committee on: (1) revisions to the suicide investigation form; (2) which records are reviewed; and (3) the timing of next-of-kin interviews in relation to the death.

DISCUSSION OF COMMITTEE ASSIGNMENT

Following presentations from invited speakers, the committee discussed the information received, as well as the committee's scope. Chair Ballweg explained that the study committee does not intend to change the manner in which counties determine whether to have a coroner or a medical examiner.

Ms. Paulus stated that Wisconsin currently lacks detailed death records with risk factors. She noted that such data would be helpful and could be obtained with standardized tools for suicide and overdose deaths.

Committee members discussed the need for state infrastructure to support efforts to collect and maintain such data. Mr. Michel noted that certain federal block grants supporting his organization are clinically focused and thus may not qualify to support preventative efforts. He discussed his concern regarding nonstandard county forms used to collect current death information.

Representative James described law enforcement's role, noting a two-week death investigation training class and the routine practice of contacting the relevant coroner or medical examiner whenever encountering a death. Ms. Kohlbeck explained that she is able to access law enforcement data through the violent death reporting system. She added that data is significantly delayed, with the most recent data from 2019. Ms. Paulus noted that she is generally able to access law enforcement data through the public health prevention exception. Ms. Otis added that states with death review team statutes may address this by granting death review teams' access to records as a public health exception in the state's death review statute.

Dr. Biedrzycki discussed the potential efficiency benefits to upgrading coroner and medical examiner technology. She and Mr. Michel both expressed concern regarding the impacts of fax machine use on data collection. Ms. Reimer also raised a concern about access to technology to use any additional data collected.

At the chair's invitation, committee members requested additional information in the following areas: DHS vital records data collection; DHS violent death reporting system; law enforcement training on death investigations; confidentiality expectations after death; potential solutions to record access and confidentiality concerns in death review meetings; and model legislation acknowledging death review teams.

ADJOURNMENT

Chair Ballweg reminded members that the committee's next meeting is currently scheduled for Tuesday, October 4, 2022 in Room 411 South, at the State Capitol in Madison. However, Legislative Council staff will contact members about rescheduling that meeting shortly. Future meetings are scheduled for November 15 and December 15, if necessary.

The meeting adjourned at 2:33 p.m.

KAM:ksm