

State of Wisconsin



2003 Senate Bill 196

Date of enactment: **April 16, 2004**
Date of publication*: **April 30, 2004**

2003 WISCONSIN ACT 273

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.

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

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

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

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

69.01 (12g) "Hospice" has the meaning given in s. 50.90 (1).

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

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

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

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

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

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

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

b. The death was anticipated.

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

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

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

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].