



## 2013 ASSEMBLY BILL 530

November 25, 2013 - Introduced by Representatives VRUWINK, KLEEFISCH, LOUDENBECK, GOYKE, BIES, KAHL, BERCEAU, POPE, OHNSTAD and WACHS, cosponsored by Senator LASSA. Referred to Committee on State Affairs and Government Operations.

1     **AN ACT** *to repeal* 69.18 (4) (bm), 979.01 (3), 979.01 (3m), 979.03 and 979.10 (3);  
2           *to renumber* 69.18 (4) (a) 1g. to 6.; *to renumber and amend* 69.18 (4) (a)  
3           (intro.), 157.02 (1), (2), (3), (4) and (5), 979.01 (1m), 979.01 (2), 979.01 (4),  
4           979.02, 979.10 (1) (a) 1., 2. and 3. and 979.10 (1) (c); *to amend* 20.165 (1) (g),  
5           69.01 (12), 69.18 (1) (a) 3., 69.18 (2) (d) 1., 69.18 (2) (d) 2., 69.18 (2) (d) 3., 69.18  
6           (3) (a), 69.18 (3) (b), 69.18 (3) (d), 69.20 (2) (a) 2., 157.03 (1), 157.03 (2), 157.055  
7           (2) (intro.), 157.112 (3) (intro.), 157.70 (3) (a), 346.71 (1), 346.71 (2), 440.03 (9)  
8           (a) (intro.), 440.05 (intro.), 440.78 (1) (b), 979.01 (title), 979.01 (1r), 979.015,  
9           979.02 (title), 979.025 (title), 979.025 (1), 979.025 (2), 979.025 (3), 979.09,  
10          979.10 (1) (a) (intro.), 979.10 (1) (b), 979.10 (2), 979.10 (4) and 979.22; *to repeal*  
11          *and recreate* 979.01 (1) and 979.01 (1g); and *to create* 15.405 (18), 20.165 (1)  
12          (b), 20.165 (1) (hr), 51.30 (4) (b) 29., 69.18 (4) (am) (intro.), 69.18 (4) (b), 69.18  
13          (4) (d), 69.18 (4) (e), 69.18 (4) (f), 157.02 (1m) (title), 157.02 (2m), 440.03 (9) (bm),  
14          440.03 (13) (b) 38m., 440.08 (2) (a) 46t., chapter 463, 979.001, 979.01 (1d),

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1 979.01 (1i), 979.01 (1k), 979.01 (1m) (b), 979.01 (1p), 979.01 (2) (b), 979.017,  
2 979.02 (2) to (7), 979.027, 979.032, 979.034, 979.036, 979.10 (1) (a) 1m. and 2m.,  
3 979.10 (1) (d), 979.10 (5) and 979.10 (6) of the statutes; **relating to:** reporting  
4 deaths; death investigations and other duties of coroners and medical  
5 examiners; disposition of bodies; creating a medicolegal investigation  
6 examining board; licensure of coroners, medical examiners, and medicolegal  
7 investigation staff members; granting rule-making authority; making an  
8 appropriation; and providing penalties.

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***Analysis by the Legislative Reference Bureau***

Under current law, coroners or medical examiners investigate certain deaths and have various duties and powers specified by law related to deaths occurring in this state, including receiving reports of deaths, participating in inquest proceedings, determining causes of death, ordering autopsies, administering provisions related to making anatomical gifts, and issuing cremation permits. Current law provides for the election of coroners for four-year terms by the electors of each county or of more than one county in certain cases, except that a county with a population of 500,000 or more must, and a county with a population of less than 500,000 may, abolish the office of coroner and establish a medical examiner system. Under the medical examiner system, a medical examiner is appointed by the county board or, in populous counties, by the county executive. Current law does not otherwise specify any particular requirements that an individual must fulfill in order to hold the office of coroner or to be appointed as a medical examiner.

***Licensure of coroners, medical examiners, medicolegal investigators, and others***

The bill establishes a prohibition against performing a death investigation or performing the functions of a coroner, a medical examiner, or a person who assists a coroner or medical examiner with a death investigation (medicolegal investigation staff member) without a license in medicolegal investigation issued by the Medicolegal Investigation Examining Board (board), except that the bill exempts medical examiners who are physicians licensed by the Medical Examining Board from this requirement. Any person who violates the prohibition may be subject to a fine of not more than \$1,000 and imprisonment of up to 90 days.

The bill requires the board to issue an initial license in medicolegal investigation, at no charge, to every individual who is serving as a coroner, nonphysician medical examiner, and medicolegal investigation staff member in this state on the bill's effective date. The bill requires each such individual to complete, prior to the next license renewal date, 40 hours of training, except that the bill allows

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an individual who holds a credential, in good standing, from a nationally recognized accreditation organization specializing in death investigation education to receive a waiver from completing 16 of those 40 hours. The bill requires the board to provide, at no cost, the required hours of training to these individuals.

The bill also requires the board to issue a license in medicolegal investigation to any individual who is elected as a coroner, is appointed to fill a vacancy as a coroner, is appointed as a nonphysician medical examiner, or is hired to serve as a medicolegal investigation staff member after the bill's effective date, if the individual pays any initial license fee imposed by the board. The bill generally requires such an individual to complete 40 hours of training, but similarly allows for a waiver of 16 hours of this training and provides that an individual who was issued his or her initial license with less than one year remaining before the next renewal date need not complete the 40 hours of training until the following renewal. The bill allows the board to impose a fee for the provision of this training for individuals elected, appointed, or hired after the bill's effective date.

Finally, the bill allows an individual who is not serving as a coroner, medical examiner, or medicolegal investigator to obtain a license in medicolegal investigation from the board if he or she first completes 40 hours of training and pays any licensure fee established by the board.

The bill provides that the renewal date for any license in medicolegal investigation is January 1, 2015, and every four years thereafter. In order to renew a license, a license holder must pay any renewal fee imposed by the board and complete any required training or, for subsequent renewals, complete 24 hours of education.

***Medicolegal Investigation Examining Board; powers and duties***

The bill provides for the creation of the 11-member board in the Department of Safety and Professional Services, to be composed of a coroner; a medical examiner; a forensic pathologist; a funeral director; members of three specified law enforcement organizations; a member of the Wisconsin Counties Association; the attorney general or his or her designee; the state public defender or his or her designee; and one public member, appointed for six-year terms. The bill requires the board to do all of the following:

1. Promulgate rules specifying standards and curricula for training and education requirements for individuals holding a license in medicolegal investigation issued by the board.

2. Coordinate and provide, on a regional basis, training and education for holders of licenses issued by the board.

3. Monitor compliance with the licensure requirements created by the bill.

The bill also requires the board, if a license is not renewed for any reason, to do any of the following that applies to the license holder:

1. If the license holder is a coroner, send a statement to the governor recommending removal of the coroner from office because of the coroner's failure to renew the license.

2. If the license holder is a medical examiner who is not a licensed physician, send a statement to the county board or county executive, if applicable, of any county

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in which the license holder serves, recommending dismissal of the nonphysician medical examiner because of the nonphysician medical examiner's failure to renew the license.

3. If the license holder is a medicolegal investigation staff member, send a notice to the office in which the individual works notifying the coroner or medical examiner of the staff member's failure to renew the license.

4. Provide the required training and education to license holders. The bill allows the board to impose fees for licenses issued after the bill's effective date and for license renewals, and to impose fees for providing training to those licensed after the bill's effective date and for providing the education required to renew a license.

The bill requires an individual who is elected as a coroner, is appointed to fill a vacancy as a coroner, is appointed as a nonphysician medical examiner, or is hired to serve as a medicolegal investigation staff member, and who leaves his or her position as a coroner, medical examiner, or medicolegal investigation staff member, to so inform the board.

The bill appropriates to the board all moneys received from training, education, and licensure fees and appropriates additional GPR funding to the board for the purpose of carrying out its functions.

***Reporting deaths***

Under current law, any person who has knowledge of certain deaths must report the death to the sheriff, police chief, or medical examiner or coroner for the locality in which the death occurred. The following types of deaths must be reported: a death that involves unexplained, unusual, or suspicious circumstances; a homicide or suicide; a death following an accident; a death that is due to poisoning; a death following an abortion; a death for which a physician or spiritual advisor did not attend the deceased within 30 days before death; and a death for which a physician refuses to sign the death certificate or for which a physician cannot timely be obtained to sign the medical certification that is required for a death certificate. A sheriff or police chief who is notified of such a death must notify the coroner or medical examiner of the death, and the coroner or medical examiner must notify the district attorney. In addition, current law requires a parent, stepparent, guardian, or legal custodian of a child to report to law enforcement the death of the child if it occurs under certain circumstances.

This bill requires that, if a death must be reported, any person who has knowledge of the death must report it to the coroner or medical examiner and may, in addition, report it to a law enforcement officer.

The bill requires that a law enforcement officer, health care provider, or funeral director who has knowledge of a death that occurs outside of a hospital, nursing home, hospice, or physician's office and any person who discovers the body or remains of a deceased individual outside of a hospital, nursing home, hospice, or physician's office must report the death to the coroner or medical examiner in the county where the death occurred or where the body or remains were located. The bill also includes specific reporting requirements for deaths that occur in hospitals, nursing homes, hospices, or physician's offices. First, a health care provider must report each death that occurs in a physician's office. Second, a hospice must report deaths that occur

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while a person is receiving care from hospice in accordance with the coroner or medical examiner's written policy. Third, a hospital or nursing home must report each death that occurs at the hospital or nursing home and that did not result from a natural disease process. Fourth, a hospital must report each death that occurs in the emergency department of the hospital.

Currently, the penalty for failure to report a death for which reporting is required is a fine not to exceed \$1,000 or imprisonment for not more than 90 days. The bill increases the maximum fine to \$10,000 for a partnership, association, organization, institution, or body politic or corporate that fails to report a death for which reporting is required.

***Jurisdiction to investigate death and notifications***

Currently, a sheriff or police chief to whom a death is reported must notify a coroner or medical examiner, and the coroner or medical examiner must notify the district attorney.

The bill assigns jurisdiction to investigate a death to the coroner or medical examiner in the county in which occurred the crime, injury, or other event that caused the death. However, if it cannot be determined where the event that caused the death occurred, or if the death occurred outside the state, the coroner or medical examiner in the county in which death was pronounced has jurisdiction to investigate. The bill provides that the coroner or medical examiner who has jurisdiction to investigate a death has custody of the deceased's body and prohibits any person from moving the body at or from a death scene without authorization from the coroner or medical examiner. The bill requires a coroner or medical examiner who receives notice of a death to notify the deceased's next of kin. The bill provides that a coroner or medical examiner need not notify the district attorney of certain types of reported deaths if the district attorney has waived notice in writing.

***Autopsies and other diagnostic procedures***

Currently, a coroner, medical examiner, or district attorney may order an autopsy conducted on a body if there is reason to believe that the death resulted from a homicide or certain other crimes or suicide, or occurred under unexplained or suspicious circumstances. A coroner or medical examiner must order an autopsy on any person who dies while confined in a correctional facility in this state. If a child who is under two years of age dies unexpectedly or under circumstances indicating sudden infant death syndrome, the coroner or medical examiner must order an autopsy unless the parent or guardian requests in writing that an autopsy not be performed. If the autopsy reveals that sudden infant death syndrome is the cause of death, that cause shall be stated in the autopsy report. No person may perform an autopsy on the body of a person whose death must be reported without obtaining written authorization from the coroner or medical examiner.

Under current law, if an autopsy is not performed in connection with a death that must be reported, the coroner or medical examiner may take specimens from the body for analysis to assist in determining the cause of death. The coroner or medical examiner must take specimens for analysis in such cases if requested to do so by the spouse, parent, child, or sibling of the deceased.

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The bill requires a coroner or medical examiner to order an autopsy for the following deaths: a death that likely resulted from a crime; a death of a person under two years of age under circumstances indicating sudden infant death syndrome; a death of a person under 18 years of age that is unusual or unexplained; a death of a person who is in the custody of a law enforcement officer or under active pursuit by a law enforcement officer, or that otherwise involves a law enforcement officer; a death of a person who is confined in federal prison or confined in a jail or otherwise confined by a sheriff; and a death of a person who is detained or institutionalized in connection with a civil commitment, preliminary proceedings for civil commitment, or criminal trial competency proceedings. The bill allows a district attorney to order an autopsy. The bill repeals the requirement that a coroner or medical examiner, in cases where a death must be reported, must take specimens from a deceased's body upon request of the deceased's spouse, parent, child, or sibling. Under the bill, if a coroner or medical examiner does not order an autopsy for a death that must be reported and a representative of the deceased inquires about performance of an autopsy, the coroner or medical examiner must inform the representative that the representative may independently contract for pathology-related services. Finally, the bill repeals the requirement that, when applicable, coroners and medical examiners cite sudden infant death syndrome as the cause of death in an autopsy report.

***Investigation records and handling of personal property***

The bill requires that each coroner or medical examiner keep records of each death investigation and specifies the contents of the records. The bill further requires that the coroner or medical examiner keep death investigation records in an office that is owned or leased by the county and designated as the office of the coroner or medical examiner.

The bill provides that records of autopsies and other diagnostic procedures are confidential. Under the bill, a coroner or medical examiner may release such records only to persons who have authority to access the deceased's health care records without informed consent, to a representative of the deceased, or for educational purposes. The bill requires that a coroner or medical examiner keep all confidential records that are gathered for an investigation, such as health care records, confidential with certain exceptions. At the request of a law enforcement agency investigating a death, a coroner or medical examiner must keep death investigation records and information related to an investigation confidential during the course of the investigation. The bill also requires that each coroner or medical examiner maintain written policies regarding access to death investigation records.

The bill requires a coroner or medical examiner to maintain an inventory of personal property that the coroner or medical examiner takes from a death scene or from a deceased. The bill specifies that the coroner or medical examiner must destroy, in accordance with applicable county evidence retention policies and standards for disposal of medications, or donate to a drug repository program any prescription medications that the coroner or medical examiner collects in an investigation and does not provide to a law enforcement agency.

**ASSEMBLY BILL 530*****Disposition of bodies***

Under current law, the coroner's or medical examiner's authorization is required for various activities related to the disposition of bodies.

*Authorization to embalm or dispose of a body.* Under current law, a coroner's or medical examiner's authorization is required to embalm or perform an autopsy on the body of a person whose death must be reported. A coroner or medical examiner must issue the authorization within 12 hours of receiving notice of the death or as soon thereafter as possible in the event of unexplained, unusual, or suspicious circumstances.

The bill requires an authorization from the coroner or medical examiner to embalm, bury, entomb, cremate, or deliver for research purposes the body of a person whose death must be reported. The bill specifies certain information that a coroner or medical examiner must include on an authorization to embalm or dispose of a body, eliminates the general 12-hour deadline for issuing an authorization to embalm, and provides that a coroner or medical examiner must issue an authorization to embalm or dispose of a body as soon as possible after being notified of a death.

*Cremation permit.* Under current law, a cremation permit issued by a coroner or medical examiner is required for cremation of the body of any deceased person. Currently, a person may not cremate a body within 48 hours of death, or discovery of death, unless the death was caused by a contagious or infectious disease. A coroner or medical examiner must view a body and make inquiry into the cause and manner of death before issuing a cremation permit. Finally, a cremation permit for the body of a person who died outside the state may be used only in the county in which it is issued.

The bill calls the authorization required for cremation a release rather than a permit. The bill provides that even when a death is caused by a contagious or infectious disease, the body may not be cremated within 48 hours of the pronouncement of death unless the body must be cremated immediately to effectively contain the disease or a public health authority orders the sooner disposal of the body during a state of emergency that is related to public health. The bill requires that, if the medical certification of the cause and manner of death on a death certificate is completed by a physician, the coroner or medical examiner must review the medical certification before issuing a cremation release. The bill further requires that a coroner or medical examiner must specify on a cremation release the earliest date and time that cremation may occur. Finally, the bill requires that a person who receives a body for medical research or education must request a cremation release before receiving the body.

*Authorization to disinter and reinter.* Under current law, a coroner or medical examiner must issue an authorization to disinter and reinter a body upon an order of the court or at the request of various next of kin of the deceased or another person who has authority to dispose of the body.

The bill clarifies that no person, other than a cemetery, may disinter a body or human remains without authorization from the coroner or medical examiner. The bill adds, as a condition for obtaining a coroner's or medical examiner's authorization

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for disinterment without a court order, that the person requesting authorization provide proof of intent to cremate or bury the disinterred remains.

*Disposition of unidentified or unclaimed bodies.* Under current law, if an inmate of a state, county, or municipal institution dies, and a relative or friend of the deceased does not claim the body and a medical or mortuary school does not take the body, the superintendent of the institution must bury the body.

This bill provides that, if a person other than the superintendent of a state, county, or municipal institution has an unidentified or unclaimed body, the person shall notify the coroner or medical examiner in the county of residence of the deceased, who must bury or cremate the body. Under the bill, if a coroner or medical examiner buries or cremates the body, the county must pay the costs of burial or cremation with funds other than funds appropriated for the operation of the coroner's or medical examiner's office. The bill further provides that, if the coroner or medical examiner makes reasonable efforts to identify a body and notify the deceased's representative of disposal of the body, the coroner or medical examiner is immune from civil liability for his or her choice of method for disposing of the body.

***Mental health treatment records***

Under current law, a coroner or medical examiner may obtain a deceased's health care records without informed consent for the purpose of completing a medical certification on a certificate of death or for conducting a death investigation. This bill provides a coroner or medical examiner access to a deceased's mental health treatment records without informed consent for the purpose of completing a medical certification on a certificate of death or for conducting a death investigation.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

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

1           **SECTION 1.** 15.405 (18) of the statutes is created to read:  
2           15.405 (18) MEDICOLEGAL INVESTIGATION EXAMINING BOARD. There is created a  
3 medicolegal investigation examining board in the department of safety and  
4 professional services that shall consist of the following members appointed for  
5 6-year terms:



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1 (a) One coroner, one medical examiner, and one forensic pathologist, each of  
2 whom are members of the Wisconsin Coroners and Medical Examiners Association.

3 (b) One licensed funeral director.

4 (c) One member of the Wisconsin District Attorneys' Association.

5 (d) One member of the Wisconsin Sheriffs and Deputy Sheriffs Association.

6 (e) One member of the Wisconsin Chiefs of Police Association.

7 (f) One member of the Wisconsin Counties Association.

8 (g) The attorney general or his or her designee.

9 (h) The state public defender or his or her designee.

10 (i) One public member.

11 **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
12 the following amounts for the purposes indicated:

13 **2013-14 2014-15**

14 **20.165 Safety and professional services,**  
15 **department of**

16 (1) PROFESSIONAL REGULATION AND ADMINISTRATIVE  
17 SERVICES

18 (b) Medicolegal investigation  
19 examining board; general pur-

20 pose revenue GPR B 750,000 750,000

21 **SECTION 3.** 20.165 (1) (b) of the statutes is created to read:

22 20.165 (1) (b) *Medicolegal investigation examining board; general purpose*  
23 *revenue.* Biennially, the amounts in the schedule to provide training and education

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1 to individuals licensed under s. 463.10 and to support the medicolegal investigation  
2 examining board in performing its duties and functions.

3 **SECTION 4.** 20.165 (1) (g) of the statutes, as affected by 2013 Wisconsin Act 20,  
4 is amended to read:

5 20.165 (1) (g) *General program operations.* The amounts in the schedule for  
6 the licensing, rule making, and regulatory functions of the department, other than  
7 the licensing, rule-making, and credentialing functions of the medical examining  
8 board and the affiliated credentialing boards attached to the medical examining  
9 board and except for preparing, administering, and grading examinations. Ninety  
10 percent of all moneys received under chs. 440 to 480, except ~~ch. 448 and 463~~ and  
11 ss. 440.03 (13), and 440.05 (1) (b), ~~and~~, less \$10 of each renewal fee received under  
12 s. 452.12 (5); all moneys transferred from the appropriation under par. (i); and all  
13 moneys received under s. 440.055 (2), shall be credited to this appropriation.

14 **SECTION 5.** 20.165 (1) (hr) of the statutes is created to read:

15 20.165 (1) (hr) *Medicolegal investigation examining board; program revenues.*  
16 All moneys received from fees imposed for providing training and education under  
17 s. 463.05 (2) (b) and all moneys received from fees imposed for licenses issued under  
18 s. 463.10 to provide training and education to individuals licensed under s. 463.10  
19 and to support the medicolegal investigation examining board in performing its  
20 duties and functions.

21 **SECTION 6.** 51.30 (4) (b) 29. of the statutes is created to read:

22 51.30 (4) (b) 29. To a medical examiner, assistant medical examiner, coroner,  
23 or deputy coroner upon an oral or written request from that person, if the individual's  
24 treatment records are relevant to completion of a medical certification for the  
25 individual's death under s. 69.18 (2) or to an investigation of the cause or manner of

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1 the individual's death under s. 979.01 or 979.10. A custodian of treatment records  
2 may initiate contact with a coroner or medical examiner to inform him or her of  
3 treatment records of a deceased individual that may be relevant to the completion  
4 of a medical certification or the investigation of a death. The recipient of any  
5 information under this subdivision shall keep the information confidential except as  
6 necessary to comply with s. 69.18, 979.01, or 979.10.

7 **SECTION 7.** 69.01 (12) of the statutes is amended to read:

8 69.01 (12) "Final disposition" means the disposition of a corpse or stillbirth by  
9 burial, interment, entombment, cremation, delivery to a university or school under  
10 s. 157.02 (3) (1m) (c), or delivery to a medical or dental school anatomy department  
11 under s. 157.06. "Final disposition" does not include disposition of the ashes  
12 produced by cremation of a corpse or stillbirth.

13 **SECTION 8.** 69.18 (1) (a) 3. of the statutes is amended to read:

14 69.18 (1) (a) 3. A person acting under s. 157.02 or 445.16 (1).

15 **SECTION 9.** 69.18 (2) (d) 1. of the statutes is amended to read:

16 69.18 (2) (d) 1. Except as provided under par. (e), if a death is ~~the subject of a~~  
17 ~~coroner's or medical examiner's determination~~ investigated by a coroner or medical  
18 examiner under s. 979.01 ~~or 979.03~~, the coroner or medical examiner or a physician  
19 supervised by a coroner or medical examiner in the county where the event which  
20 caused the death occurred shall complete and sign the medical certification for the  
21 death and ~~mail the death certificate within 5 days after the pronouncement of death~~  
22 ~~or present the certificate to the person responsible for filing the death certificate~~  
23 ~~under sub. (1)~~ within 6 days after the pronouncement of death.

24 **SECTION 10.** 69.18 (2) (d) 2. of the statutes is amended to read:

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1           69.18 (2) (d) 2. Except as provided under par. (e), if the decedent was not under  
2 the care of a physician for the illness or condition from which the person died, the  
3 coroner or medical examiner, or a physician supervised by a coroner or medical  
4 examiner, in the county of the place of death shall complete and sign the medical  
5 certification for the death ~~and mail the death certificate within 5 days after the~~  
6 ~~pronouncement of death or present the certificate to the person responsible for filing~~  
7 ~~the death certificate under sub. (1) within 6 days after the pronouncement of death.~~

8           **SECTION 11.** 69.18 (2) (d) 3. of the statutes is amended to read:

9           69.18 (2) (d) 3. For a medical certification under this paragraph, except a  
10 medical certification of the cause of death of an indigent, a coroner or medical  
11 examiner may charge a fee established by the county board, not to exceed an amount  
12 reasonably related to the actual and necessary cost of providing the medical  
13 certification. The coroner or medical examiner, or the physician employed by the  
14 coroner or medical examiner, shall ~~mail or present~~ complete and sign a medical  
15 certification as required under subd. 1., whether or not the fee has been paid.

16           **SECTION 12.** 69.18 (3) (a) of the statutes is amended to read:

17           69.18 (3) (a) Except as provided under par. (c) or (e), the person who has moved  
18 a corpse under sub. (1) (a) shall complete a report for final disposition, on a form  
19 supplied by the state registrar, and, within 24 hours after being notified of the death,  
20 mail or present a copy of the report to the coroner or medical examiner in the county  
21 of the place of death and mail or present a copy to the local registrar in the  
22 registration district of the place of death. ~~If the cause of death is subject to an~~  
23 ~~investigation~~ must be reported to a coroner or medical examiner under s. 979.01 ~~or~~  
24 979.03, the report for final disposition shall be submitted to the coroner or medical  
25 examiner in the county in which the event which caused the death occurred.

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1           **SECTION 13.** 69.18 (3) (b) of the statutes is amended to read:

2           69.18 (3) (b) If a medical certification for a corpse is required under sub. (2) (d),  
3 no person may embalm the corpse or effect its final disposition without satisfying the  
4 requirements for a report under par. (a) and without obtaining ~~the written~~  
5 ~~permission of the person required to complete the medical certification under sub.~~  
6 ~~(2) (d)~~ an authorization to embalm or dispose of a body under s. 979.105.

7           **SECTION 14.** 69.18 (3) (d) of the statutes is amended to read:

8           69.18 (3) (d) No person may remove a corpse from this state if the place of death  
9 was in this state unless the corpse is accompanied by a copy of the report for final  
10 disposition. If a medical certification is required for the corpse under sub. (2) (d), the  
11 corpse must be accompanied by the report and ~~the written permission of the coroner~~  
12 ~~or medical examiner to embalm and effect final disposition~~ an authorization to  
13 embalm or dispose of a body under s. 979.105. No person may remove a stillbirth  
14 from this state if the delivery of the stillbirth was in this state unless the stillbirth  
15 is accompanied by a report for final disposition.

16           **SECTION 15.** 69.18 (4) (a) (intro.) of the statutes is renumbered 69.18 (4) (c) and  
17 amended to read:

18           69.18 (4) (c) Subject to s. 157.111, the coroner or medical examiner of the county  
19 in which a decedent's corpse is interred shall issue ~~an authorization~~ a permit for  
20 disinterment and reinterment upon receipt of an order of a court of competent  
21 jurisdiction ~~or upon receipt of a written application for disinterment and reinterment~~  
22 ~~signed by the person in charge of the disinterment and by any of the following~~  
23 ~~persons, in order of priority stated, when persons in prior classes are not available~~  
24 ~~at the time of application, and in the absence of actual notice of contrary indications~~

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1 ~~by the decedent or actual notice of opposition by a member of the same or a prior~~  
2 ~~class.~~

3 **SECTION 16.** 69.18 (4) (a) 1g. to 6. of the statutes are renumbered 69.18 (4) (am)  
4 1g. to 6.

5 **SECTION 17.** 69.18 (4) (am) (intro.) of the statutes is created to read:

6 69.18 (4) (am) (intro.) In this subsection, “representative of the decedent”  
7 means any member of the following classes of individuals, in the order of priority  
8 listed:

9 **SECTION 18.** 69.18 (4) (b) of the statutes is created to read:

10 69.18 (4) (b) Except as provided in s. 157.112 (3), no person may disinter a  
11 human corpse from a grave or tomb without first obtaining a disinterment permit  
12 under par. (c) or (d).

13 **SECTION 19.** 69.18 (4) (bm) of the statutes is repealed.

14 **SECTION 20.** 69.18 (4) (d) of the statutes is created to read:

15 69.18 (4) (d) Subject to s. 157.111, the coroner or medical examiner of the county  
16 in which a decedent’s corpse is interred shall issue a disinterment permit upon  
17 receipt of a written application for disinterment that is made and signed by a  
18 representative of the decedent and signed by the person in charge of disinterment  
19 if all of the following apply:

20 1. No representative of the decedent who is a member of a prior class under par.  
21 (am) is available at the time the application is made.

22 2. The coroner or medical examiner does not have actual notice that the  
23 decedent would have opposed the disinterment.

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1           3. The coroner or medical examiner does not have actual notice of opposition  
2 to disinterment by a representative of the decedent who is a member of the same or  
3 a prior class under par. (am) as the applicant.

4           4. The applicant provides proof of intent to cremate the decedent's corpse or to  
5 lawfully inter the decedent's corpse in a specified burial place.

6           **SECTION 21.** 69.18 (4) (e) of the statutes is created to read:

7           69.18 (4) (e) No person may cremate a corpse disinterred under this subsection  
8 without obtaining a cremation release under s. 979.10 (1) (ag).

9           **SECTION 22.** 69.18 (4) (f) of the statutes is created to read:

10          69.18 (4) (f) Except as provided in s. 157.112 (3), no person may disinter a  
11 decedent's cremated remains from a cemetery unless all of the following conditions  
12 are satisfied:

13           1. The cemetery authority, or its designee, consents to disinterment.

14           2. A representative of the decedent consents to disinterment and no other  
15 representative of the decedent who is a member of the same or a prior class under  
16 par. (am) objects to disinterment.

17          **SECTION 23.** 69.20 (2) (a) 2. of the statutes is amended to read:

18          69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s.  
19 69.18 (4) ~~(a)~~ (am) 1g. to 6. or an individual who is authorized in writing by one of the  
20 persons.

21          **SECTION 24.** 157.02 (1), (2), (3), (4) and (5) of the statutes are renumbered  
22 157.02 (1m) (a), (b), (c), (d) and (e), and 157.02 (1m) (b) and (e), as renumbered, are  
23 amended to read:

24          157.02 (1m) (b) *Time allowed relative to act.* If a relative or friend fails to  
25 arrange for taking charge of the corpse within a reasonable time after death, the

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1 superintendent or other officer may proceed as provided in this ~~section~~ subsection,  
2 but relatives or friends may claim the corpse at any time before it has been delivered  
3 pursuant to ~~sub. (3)~~ par. (c).

4 (e) *Other disposition.* If the corpse is not disposed of under ~~subs. (1) to (4)~~ pars.  
5 (a) to (d), the superintendent or public officer shall properly bury it.

6 **SECTION 25.** 157.02 (1m) (title) of the statutes is created to read:

7 157.02 (1m) (title) DISPOSITION OF INMATE'S REMAINS.

8 **SECTION 26.** 157.02 (2m) of the statutes is created to read:

9 157.02 (2m) DISPOSITION OF OTHER UNCLAIMED REMAINS. (a) If a person, other  
10 than a person who has responsibility to dispose of a corpse under sub. (1m), has the  
11 corpse of a deceased individual and cannot by exercise of reasonable effort locate a  
12 representative of the deceased, as defined in s. 979.001 (8), or a representative of the  
13 deceased refuses to claim the corpse for disposition, the person shall notify the  
14 coroner or medical examiner in the county of residence of the deceased, and the  
15 coroner or medical examiner shall take custody of the corpse and cause the corpse  
16 to be decently buried or cremated. The county shall pay costs of burial or cremation  
17 under this paragraph with funds other than funds appropriated for the operation of  
18 the coroner's or medical examiner's office.

19 (b) A coroner or medical examiner is immune from civil liability for his or her  
20 choice of method for disposing of an unidentified corpse under this subsection if the  
21 coroner or medical examiner made reasonable efforts to identify the corpse.

22 (c) A coroner or medical examiner is immune from civil liability for his or her  
23 choice of method for disposing of an unclaimed corpse under this subsection if the  
24 coroner or medical examiner made reasonable efforts to notify a representative of the  
25 deceased, as defined in s. 979.001 (8), of the disposal of the corpse.



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1           **SECTION 27.** 157.03 (1) of the statutes is amended to read:

2           157.03 (1) The corpse of a person who died with smallpox, diphtheria, or scarlet  
3 fever, or who in his or her last sickness shall request to be buried or cremated, and  
4 of a stranger or traveler who suddenly died, shall not be disposed of under s. 157.02  
5 ~~(3)~~ (1m) (c), and no person having charge of a corpse authorized to be so disposed of  
6 shall sell or deliver it to be used outside the state.

7           **SECTION 28.** 157.03 (2) of the statutes is amended to read:

8           157.03 (2) Upon receipt of the corpse by a university or school pursuant to s.  
9 157.02 ~~(3)~~ (1m) (c) it shall be properly embalmed and retained for 3 months before  
10 being used or dismembered and shall be delivered to any relative claiming it upon  
11 satisfactory proof of relationship.

12           **SECTION 29.** 157.055 (2) (intro.) of the statutes is amended to read:

13           157.055 (2) (intro.) Notwithstanding ss. 69.18 (4), 157.113, 445.04 (2), 445.14,  
14 979.01 (3), (3m), and (4), 979.02, and 979.025 (2), 979.027, 979.10, and 979.105, and  
15 subch. VII of ch. 440, during a period of a state of emergency related to public health  
16 declared by the governor under s. 323.10, a public health authority may do all of the  
17 following:

18           **SECTION 30.** 157.112 (3) (intro.) of the statutes is amended to read:

19           157.112 (3) (intro.) A cemetery authority may rebury human remains under  
20 sub. (2) without first ~~obtaining an authorization~~ complying with the conditions under  
21 s. 69.18 (4), but the cemetery authority shall do all of the following:

22           **SECTION 31.** 157.70 (3) (a) of the statutes is amended to read:

23           157.70 (3) (a) ~~Except as provided under s. 979.01, a~~ A person shall immediately  
24 notify the director if the person knows or has reasonable grounds to believe that a

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1 burial site or the cataloged land contiguous to a cataloged burial site is being  
2 disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

3 **SECTION 32.** 346.71 (1) of the statutes is amended to read:

4 346.71 (1) Every coroner or medical examiner shall, on or before the 10th day  
5 of each month, report in writing any accident involving a motor vehicle occurring  
6 within the coroner's or medical examiner's jurisdiction resulting in the death of any  
7 person during the preceding calendar month. If the accident involved an all-terrain  
8 vehicle or utility terrain vehicle, the report shall be made to the department of  
9 natural resources and shall include the information specified by that department.  
10 If the accident involved any other motor vehicle, the report shall be made to the  
11 department and shall include the information specified by the department. The  
12 coroner or medical examiner of the county where the death occurs, if the accident  
13 occurred in another jurisdiction, shall, immediately upon learning of the death,  
14 report it to the coroner or medical examiner of the county where the accident  
15 occurred, as provided in s. 979.01 (1).

16 **SECTION 33.** 346.71 (2) of the statutes is amended to read:

17 346.71 (2) In cases of death involving a motor vehicle in which the decedent was  
18 the operator of a motor vehicle, a pedestrian 14 years of age or older or a bicycle or  
19 electric personal assistive mobility device operator 14 years of age or older and who  
20 died within 6 hours of the time of the accident, the coroner or medical examiner of  
21 the county where the death occurred shall require that a blood specimen of at least  
22 10 cc. be withdrawn from the body of the decedent within 12 hours after his or her  
23 death, by the coroner or medical examiner or by a physician so designated by the  
24 coroner or medical examiner or by a qualified person at the direction of the physician.  
25 All funeral directors shall obtain ~~a release~~ an authorization from the a coroner or

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1 medical examiner of the county where the accident occurred as provided in s. 979.01  
2 (4) 979.105 prior to proceeding with embalming any body coming under the scope of  
3 this section. The blood so drawn shall be forwarded to a laboratory approved by the  
4 department of health services for analysis of the alcoholic content of the blood  
5 specimen. The coroner or medical examiner causing the blood to be withdrawn shall  
6 be notified of the results of each analysis made and shall forward the results of each  
7 such analysis to the department of health services. If the death involved a motor  
8 vehicle, the department shall keep a record of all such examinations to be used for  
9 statistical purposes only and the department shall disseminate and make public the  
10 cumulative results of the examinations without identifying the individuals involved.  
11 If the death involved an all-terrain vehicle or utility terrain vehicle, the department  
12 of natural resources shall keep a record of all such examinations to be used for  
13 statistical purposes only and the department of natural resources shall disseminate  
14 and make public the cumulative results of the examinations without identifying the  
15 individuals involved.

16 **SECTION 34.** 440.03 (9) (a) (intro.) of the statutes is amended to read:

17 440.03 (9) (a) Subject to pars. (b) and (c) and except as provided in par. (bm),  
18 the department shall, biennially, determine each fee for an initial credential for  
19 which no examination is required, for a reciprocal credential, and for a credential  
20 renewal by doing all of the following:

21 **SECTION 35.** 440.03 (9) (bm) of the statutes is created to read:

22 440.03 (9) (bm) The medicolegal investigation examining board may determine  
23 the amount of any fees imposed for licenses issued under s. 463.10, in accordance  
24 with s. 463.05 (2) (a).

25 **SECTION 36.** 440.03 (13) (b) 38m. of the statutes is created to read:



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1           (4) “Nonphysician medical examiner” means a medical examiner appointed  
2 under s. 59.34 (1) (a) or 59.38 (5) who is not a physician.

3           (5) “Physician” has the meaning given in s. 448.01 (5).

4           (6) “Physician medical examiner” means a medical examiner appointed under  
5 s. 59.34 (1) (a) or 59.38 (5) who is a physician.

6           **463.05 Powers and duties of board. (1) DUTIES.** The board shall do all of  
7 the following:

8           (a) Promulgate rules specifying standards and curricula for the training and  
9 education requirements to be satisfied by individuals who seek or possess a license  
10 in medicolegal investigation.

11           (b) Coordinate and provide, on a regional basis, the training and education  
12 described in s. 463.10 (3) and (4) (a) 1. and (b) 2.

13           (c) Monitor compliance with the licensure requirements under this chapter.

14           (d) Approve instructor certification standards that must be satisfied in order  
15 for a person to conduct the training and education required under s. 463.10 (3) and  
16 (4) (a) 1. and (b) 2.

17           (e) If a license issued under s. 463.10 is not renewed, do any of the following that  
18 is applicable with respect to the holder of the license:

19           1. If the holder of the license is a coroner, send a statement to the governor  
20 recommending removal of the coroner from office because of the coroner’s failure to  
21 renew the license.

22           2. If the holder of the license is a nonphysician medical examiner, send a  
23 statement to the county board or county executive, if applicable, of any county in  
24 which the individual serves recommending dismissal of the nonphysician medical

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1 examiner because of the nonphysician medical examiner's failure to renew the  
2 license.

3 3. If the holder of the license is a medicolegal investigation staff member, send  
4 a notice to the office in which the individual works notifying the coroner or medical  
5 examiner of the staff member's failure to renew the license.

6 **(2) POWERS.** The board may do any of the following:

7 (a) Impose fees for initial licenses or for license renewals under s. 463.10 (2) and  
8 (4). If the board imposes any fee under this paragraph, the board shall set the fee  
9 at an amount commensurate with the cost of issuing licenses and monitoring  
10 compliance with this chapter.

11 (b) Impose a fee for the receipt of training and education provided under sub.  
12 (1) (b).

13 (c) Promulgate and enforce any rules not inconsistent with this chapter to  
14 enforce this chapter.

15 **463.10 License required; requirements to maintain license. (1) LICENSE**  
16 **REQUIRED.** (a) Except as provided in par. (b), no person may perform a death  
17 investigation or perform the functions of a coroner, medical examiner, or medicolegal  
18 investigation staff member without a license in medicolegal investigation issued  
19 under this section.

20 (b) A physician medical examiner is not required to have a license in  
21 medicolegal investigation issued under this section.

22 **(2) ISSUING OF LICENSES.** (a) *Initial license.* The board shall issue a license in  
23 medicolegal investigation to an individual if all of the following are satisfied:

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1           1. The individual is elected as a coroner, is appointed to fill a vacancy as a  
2 coroner, is appointed as a nonphysician medical examiner, or is hired by a coroner  
3 or medical examiner to serve as a medicolegal investigation staff member.

4           2. The individual pays any fee imposed by the board under s. 463.05 (2) (a).

5           (b) *License renewal.* The renewal date for a license issued under this subsection  
6 is specified under s. 440.08 (2) (a). Before any renewal license is delivered to an  
7 individual, the individual shall pay any fee established by the board under s. 463.05  
8 (2) (a) and furnish to the board proof of completing all hours of training or education  
9 required under sub. (3), subject to any waiver granted under sub. (3) (c).

10           **(3) TRAINING AND EDUCATION REQUIREMENTS.** (a) Subject to par. (d), an individual  
11 applying for an initial renewal of a license issued under sub. (2) shall satisfy all of  
12 the following:

13           1. Complete 24 hours of training, as prescribed by the board.

14           2. In addition to the hours of training required under subd. 1., do one of the  
15 following:

16           a. Complete 16 hours of training, as prescribed by the board.

17           b. Obtain a waiver from the requirement under subd. 2. a. in the method  
18 described under par. (c).

19           (b) An individual applying for a renewal of a license issued under sub. (2)  
20 subsequent to the renewal under par. (a) shall complete 24 hours of education, as  
21 prescribed by the board.

22           (c) The board may grant a waiver of the training requirement under par. (a) 2.  
23 a. to a coroner, nonphysician medical examiner, or medicolegal investigation staff  
24 member who holds a credential, in good standing, from a nationally recognized

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1 accreditation organization specializing in death investigation education and who  
2 applies to the board for a waiver in the method prescribed by the board.

3 (d) If an individual is issued an initial license under sub. (2) (a) when there is  
4 less than one year remaining until the next license renewal date, par. (a) does not  
5 apply to the individual until the individual's first renewal following a full, 4-year  
6 licensure term.

7 **(4) OPTIONAL LICENSE.** (a) *Initial license.* The board may issue a license in  
8 medicolegal investigation to an individual, other than an individual required to hold  
9 a license under sub. (1), who satisfies all of the following criteria:

10 1. The individual successfully completes 40 hours of training, as prescribed by  
11 the board, and any additional requirements set by the board.

12 2. The individual applies to the board for a license in the manner prescribed  
13 by the board.

14 3. The individual pays any licensing fee imposed by the board under s. 463.05  
15 (2) (a).

16 (b) *License renewal.* The renewal date for a license issued under this subsection  
17 is specified under s. 440.08 (2) (a). Before any renewal license is delivered to an  
18 individual, the individual shall do all of the following:

19 1. Pay any fee established by the board under s. 463.05 (2) (a).

20 2. Furnish to the board proof of completing, in the 4-year period preceding the  
21 renewal date, 24 hours of education, as prescribed by the board. This subdivision  
22 does not apply to an individual applying for an initial renewal who is issued a license  
23 under par. (a) when there is less than one year remaining until the next license  
24 renewal date.

25 3. Fulfill any other requirements of licensure as prescribed by the board.



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1           **(5) BOARD NOTIFICATION REQUIREMENT.** An individual who is elected as a coroner,  
2 is appointed to fill a vacancy as a coroner, is appointed as a nonphysician medical  
3 examiner, or is hired by a coroner or medical examiner to serve as a medicolegal  
4 investigation staff member shall, if he or she leaves his or her position as a coroner,  
5 medical examiner, or medicolegal investigation staff member, so inform the board.

6           **463.15 Penalty.** Any person who violates s. 463.10 (1) (a) shall be fined not  
7 more than \$1,000 or imprisoned not more than 90 days.

8           **SECTION 41.** 979.001 of the statutes is created to read:

9           **979.001 Definitions.** In this chapter:

10          **(1) “Health care provider”** means all of the following:

11          (a) A midwife licensed under subch. XIII of ch. 440.

12          (b) A nurse licensed under ch. 441.

13          (c) A chiropractor licensed under ch. 446.

14          (d) A dentist licensed under ch. 447.

15          (e) A physician, physician assistant, or respiratory care practitioner licensed  
16 or certified under subch. II of ch. 448.

17          (f) A physical therapist licensed under subch. III of ch. 448.

18          (g) A podiatrist licensed under subch. IV of ch. 448.

19          (h) A dietitian certified under subch. V of ch. 448.

20          (i) An athletic trainer licensed under subch. VI of ch. 448.

21          (j) An occupational therapist or occupational therapy assistant licensed under  
22 subch. VII of ch. 448.

23          (k) An optometrist licensed under ch. 449.

24          (L) A pharmacist licensed under ch. 450.

25          (m) An acupuncturist certified under ch. 451.

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1 (n) A psychologist licensed under ch. 455.

2 (o) A social worker, marriage and family therapist, or professional counselor  
3 certified or licensed under ch. 457.

4 (p) A speech-language pathologist or audiologist licensed under subch. II of ch.  
5 459 or a speech and language pathologist licensed by the department of public  
6 instruction.

7 (q) A massage therapist or bodyworker certified under ch. 460.

8 **(2)** "Hospice" means an organization, program, or place that meets the  
9 definition in s. 50.90 (1) and that is licensed under s. 50.92.

10 **(3)** "Hospital" means a facility licensed under s. 50.35 or a facility operated as  
11 a hospital by the federal government, a state, or a political subdivision of a state.

12 **(4)** "Human remains" has the meaning given in s. 157.061 (8).

13 **(5)** "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

14 **(6)** "Law enforcement officer" means any person employed by the state, or any  
15 political subdivision of the state, for the purpose of detecting and preventing crime  
16 and enforcing laws or ordinances and who is authorized to make arrests for violations  
17 of the laws or ordinances that the person is employed to enforce.

18 **(7)** "Nursing home" means a facility that meets the definition in s. 50.01 (3) and  
19 that is licensed under subch. I of ch. 50.

20 **(8)** "Representative of the deceased" means any member of one of the following  
21 classes of individuals, in the order of priority listed, who is available, if no member  
22 of a prior class is available:

23 (a) The deceased's spouse.

24 (b) An adult son or daughter of the deceased.

25 (c) A parent of the deceased.

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1 (d) An adult brother or sister of the deceased.

2 (e) A person appointed as such by the circuit court.

3 **SECTION 42.** 979.01 (title) of the statutes is amended to read:

4 **979.01 (title) Reporting deaths required; penalty; taking specimens by**  
5 **~~coroner or medical examiner jurisdiction for investigating deaths.~~**

6 **SECTION 43.** 979.01 (1) of the statutes is repealed and recreated to read:

7 979.01 (1) (a) If a death occurs outside of a hospital, physician's office, nursing  
8 home, or hospice, and is not required to be reported under par. (b) or (c), a law  
9 enforcement officer, health care provider, or funeral director who has knowledge of  
10 the death and any person who discovers the body or remains of a deceased individual  
11 shall immediately report the death to the coroner or medical examiner in the county  
12 in which the individual was pronounced dead or in which the deceased's body or  
13 remains were located except that a person who is required to report a death because  
14 he or she discovered a body or the remains of a deceased individual may report the  
15 death to a law enforcement officer in lieu of reporting the death to the coroner or  
16 medical examiner. Deaths that are required to be reported under this paragraph  
17 include all of the following:

- 18 1. A death that involves unexplained, unusual, or suspicious circumstances.
- 19 2. A death that the person has reason to believe is the result of a homicide.
- 20 3. A death that the person has reason to believe is the result of a suicide.
- 21 4. A death of a woman that is associated with an abortion, as defined in s. 253.10

22 (2) (a).

- 23 5. A death, if the person has reason to believe that an injury or poisoning was  
24 a contributing cause of the death, whether or not the person has reason to believe

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1 that the injury or poisoning was the primary cause of the death and regardless of the  
2 interval between the injury or poisoning and the death.

3 6. A death that occurred when the individual was not under the care of a  
4 physician for the illness or condition that caused the death.

5 7. A death, if after reasonable efforts, a physician cannot within 6 days after  
6 the pronouncement of death, or sooner under circumstances that the coroner or  
7 medical examiner determines to be an emergency, be obtained to sign the medical  
8 certification as required under s. 69.18 (2) (b) or (c).

9 8. A death that the person has reason to believe is associated with the abuse  
10 of a chemical substance that may be legally used or with the use of a controlled  
11 substance, as defined in s. 961.01 (4).

12 9. A death that the person has reason to believe is associated with an epidemic  
13 or pandemic, with the spread of a dangerous communicable disease, as defined by the  
14 department of health services, or with a disease-causing agent that may pose a  
15 threat to public health.

16 (b) A law enforcement officer shall immediately report to the coroner or medical  
17 examiner in the county in which an individual was pronounced dead all of the  
18 following:

19 1. A death that occurs while an individual is in the actual or constructive  
20 custody of a law enforcement officer.

21 2. A death of an individual that occurs during the pursuit of the individual by  
22 a law enforcement officer or otherwise involves a law enforcement officer.

23 3. A death that occurs while the individual is confined in a federal prison in this  
24 state, a state prison, county jail or house of correction, a juvenile correctional facility,  
25 as defined in s. 938.02 (10p), or a juvenile detention facility, as defined in s. 938.02

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1 (10r), or is otherwise incarcerated in the custody of the department or of a county  
2 sheriff.

3 (c) A facility where a deceased individual was being detained or  
4 institutionalized under s. 51.20, 971.14, or 971.17 or ch. 980 at the time of his or her  
5 death shall immediately report the death to the coroner or medical examiner in the  
6 county where the facility is located.

7 (d) A health care provider shall immediately report a death that occurs in a  
8 physician's office, as defined in s. 460.01 (5), to the coroner or medical examiner in  
9 the county in which the physician's office is located.

10 (e) A hospital shall immediately report to the coroner or medical examiner in  
11 the county in which the hospital is located a death that occurs at the hospital and  
12 satisfies any of the following conditions:

- 13 1. The death occurred in the emergency department of the hospital.
- 14 2. The death was not the result of a natural disease process. For purposes of  
15 this subdivision, deaths described in par. (a) 1. to 5., 8., and 9. are not considered to  
16 be the result of a natural disease process.

17 (f) A nursing home shall immediately report to the coroner or medical examiner  
18 in the county in which the nursing home is located a death that occurs at the nursing  
19 home and that the nursing home has reason to believe was not the result of a natural  
20 disease process. For purposes of this paragraph, deaths described in par. (a) 1. to 5.,  
21 8., and 9. are not considered to be the result of a natural disease process.

22 (g) 1. A hospice shall report a death that occurred while an individual was  
23 receiving care from the hospice in accordance with the written policy created under  
24 subd. 2. that applies to the county in which the death occurred.

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1           2. A coroner or medical examiner shall create and distribute to each hospice  
2 that operates in the county under his or her jurisdiction a written policy that  
3 describes the circumstances under which a hospice must report to the coroner or  
4 medical examiner a death that occurs while an individual is receiving care from the  
5 hospice.

6           **SECTION 44.** 979.01 (1d) of the statutes is created to read:

7           979.01 (1d) Notwithstanding sub. (1), no person specified in sub. (1) need  
8 report a death under sub. (1) if that person knows that another person specified in  
9 sub. (1) has already reported the death to a coroner or medical examiner.

10          **SECTION 45.** 979.01 (1g) of the statutes is repealed and recreated to read:

11          979.01 (1g) If a law enforcement officer is notified under sub. (1) or s. 948.23  
12 (1) (b) of a death, the law enforcement officer shall immediately notify the coroner  
13 or medical examiner in the county in which the body or human remains were located.

14          **SECTION 46.** 979.01 (1i) of the statutes is created to read:

15          979.01 (1i) If a coroner or medical examiner is notified of a death under sub.  
16 (1) and determines that the death was caused by a crime, injury, trauma, or other  
17 event in a county other than the county in which the death was reported, the coroner  
18 or medical examiner shall notify the coroner or medical examiner in the county in  
19 which the crime, injury, trauma, or other event is believed to have occurred.

20          **SECTION 47.** 979.01 (1k) of the statutes is created to read:

21          979.01 (1k) (a) Except as provided in par. (b), if a death must be reported under  
22 sub. (1), the coroner or medical examiner in the county in which the crime, injury,  
23 trauma, or other event that caused the death occurred has jurisdiction to investigate  
24 the cause and manner of death including access to a death investigation scene and  
25 specimens necessary for death investigation.

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1 (b) If there is reason to believe that a death that must be reported under sub.  
2 (1) was caused by a crime, injury, trauma, or other event that occurred outside this  
3 state, or if after reasonable efforts it cannot be determined where the crime, injury,  
4 trauma, or other event that caused the death occurred, the coroner or medical  
5 examiner in the county in which death is pronounced has jurisdiction to investigate  
6 the cause and manner of death.

7 **SECTION 48.** 979.01 (1m) of the statutes is renumbered 979.01 (1m) (a) and  
8 amended to read:

9 979.01 (1m) (a) The Except as provided in par. (b), the coroner or medical  
10 examiner receiving notification under sub. (1) or (1g) who has jurisdiction to  
11 investigate a death under this section shall immediately, within a reasonable time  
12 after receiving notice of the death, notify the district attorney for his or her county  
13 of the death.

14 **SECTION 49.** 979.01 (1m) (b) of the statutes is created to read:

15 979.01 (1m) (b) Except as provided in s. 979.04 (2), the coroner or medical  
16 examiner is not required to notify the district attorney of any deaths for which the  
17 district attorney, in writing, waives notice.

18 **SECTION 50.** 979.01 (1p) of the statutes is created to read:

19 979.01 (1p) A coroner or medical examiner who receives notice of a death under  
20 sub. (1), or his or her designee, shall notify the deceased's next of kin of the death.

21 **SECTION 51.** 979.01 (1r) of the statutes is amended to read:

22 979.01 (1r) If the coroner or medical examiner is notified of ~~a death under sub.~~  
23 ~~(1) or (1g) and determines that his or her notification of the death was not required~~  
24 under sub. (1) or (1g), the discovery of human remains under this section and

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1 determines that the human remains have no forensic significance, he or she shall  
2 notify the director of the historical society under s. 157.70 (3).

3 **SECTION 52.** 979.01 (2) of the statutes is renumbered 979.01 (2) (a) and  
4 amended to read:

5 979.01 (2) (a) Unless s. 948.23 (1) (b) applies and except as provided in par. (b),  
6 any person who violates ~~this section shall~~ sub. (1) may be fined not more than \$1,000  
7 or imprisoned not more than 90 days or both.

8 **SECTION 53.** 979.01 (2) (b) of the statutes is created to read:

9 979.01 (2) (b) Any partnership, association, organization, institution, or body  
10 politic or corporate that violates sub. (1) may be fined not more than \$10,000.

11 **SECTION 54.** 979.01 (3) of the statutes is repealed.

12 **SECTION 55.** 979.01 (3m) of the statutes is repealed.

13 **SECTION 56.** 979.01 (4) of the statutes is renumbered 979.105 and amended to  
14 read:

15 **979.105 Authorization to embalm or dispose of a body.** No person may  
16 embalm or ~~perform an autopsy on~~ dispose of, by burial, entombment, cremation,  
17 delivery to a university or school under s. 157.02 (3), or delivery to a medical or dental  
18 school anatomy department under s. 157.06, the body of any person ~~who has died~~  
19 ~~under any of the circumstances listed in this section or on the body of any person~~  
20 ~~whose death has been reported under s. 948.23 (1) (b) unless the person obtains the~~  
21 individual whose death must be reported under s. 948.23 (1) (b) or 979.01 (1) without  
22 the written authorization of the coroner ~~of the county in which the injury or cause~~  
23 ~~of death occurred. Such authorization shall be issued by the~~ or medical examiner  
24 who has jurisdiction to investigate the death under s. 979.01. An authorization  
25 under this section shall include information necessary to identify the deceased, the



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1 date and place of death, the name of the funeral director or person acting in the place  
2 of the funeral director, and shall specify that the authorization does not override the  
3 wishes of the next of kin of the deceased with respect to disposition of the body. The  
4 coroner or a deputy within 12 hours after notification of the reportable death, or  
5 medical examiner, or his or her designee, shall issue an authorization under this  
6 section as soon thereafter as possible in the event of unexplained, unusual or  
7 suspicious circumstances after being notified of the death.

8 **SECTION 57.** 979.015 of the statutes is amended to read:

9 **979.015 Subpoena for documents.** Upon the request of the coroner, medical  
10 examiner, or district attorney, a court shall issue a subpoena requiring the  
11 production of documents necessary for the determination of a decedent's relevant to  
12 determining the cause or manner of a deceased's death. The documents may include  
13 the decedent's patient health care records and treatment records, as defined in ss.  
14 51.30 and 146.81 (4). The documents shall be returnable to the officer named in the  
15 subpoena.

16 **SECTION 58.** 979.017 of the statutes is created to read:

17 **979.017 Custody of and authorization to move a body.** (1) The coroner  
18 or medical examiner who has jurisdiction to investigate a death under s. 979.01 has  
19 legal custody of the deceased's body until he or she releases the body for disposition.  
20 Temporary transfer of a deceased's body for the purpose of removing a body part that  
21 is the subject of an anatomical gift under s. 157.06 does not constitute release of legal  
22 custody of the body.

23 (2) If an individual's death must be reported under s. 979.01 (1), no person may  
24 move the individual's body at or from the scene of death without authorization from  
25 the coroner or medical examiner to whom the death was first reported under s.

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1 979.01, except if it is necessary to move the body to perform search or rescue  
2 operations for living individuals.

3 **SECTION 59.** 979.02 (title) of the statutes is amended to read:

4 **979.02 (title) Autopsies and other diagnostic procedures.**

5 **SECTION 60.** 979.02 of the statutes is renumbered 979.02 (1) and amended to  
6 read:

7 979.02 (1) The coroner, or medical examiner or district attorney who has  
8 jurisdiction to investigate a death under s. 979.01 may order the conducting of that  
9 an autopsy upon or other appropriate diagnostic procedure be performed on the body  
10 of a dead person any place within the state in cases where an inquest might be had  
11 as provided in s. 979.04 notwithstanding the fact that no such inquest is ordered or  
12 conducted. The autopsy shall be conducted by a licensed physician who has  
13 specialized training in pathology. The district attorney may move the circuit court  
14 for the county in which the body is buried for an order disinterring the body for  
15 purposes of autopsy. The order shall be granted by the circuit court upon a  
16 reasonable showing that any of the criteria specified in s. 979.04 exists. This section  
17 does not prevent additional autopsies or examinations of the body if there are  
18 unanswered pathological questions concerning the death and the causes of death the  
19 deceased, or may extract from the body any specimen, bodily fluids, other bodily  
20 material, or other material for analysis that will assist him or her in conducting a  
21 death investigation. The coroner or medical examiner shall dispose of specimens,  
22 fluids, and materials that are no longer of use in the investigation in accordance with  
23 standard biological material practices and county evidence retention rules.

24 **SECTION 61.** 979.02 (2) to (7) of the statutes are created to read:

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1           979.02 (2) The coroner or medical examiner who has jurisdiction to investigate  
2 a death under s. 979.01, or his or her designee, shall order that an autopsy and any  
3 other appropriate diagnostic procedure be performed on the body of the deceased if  
4 any of the following applies:

5           (a) The coroner or medical examiner has reason to believe that the death  
6 resulted from a criminal act, unless the district attorney waives the requirement for  
7 an autopsy.

8           (b) The death must be reported under s. 979.01 (1) (b) or (c), unless the district  
9 attorney waives the requirement for an autopsy.

10          (c) The deceased was under 18 years of age and the death is unexplained or  
11 unusual.

12          (d) The deceased was under 2 years of age and the death occurred under  
13 circumstances indicating sudden infant death syndrome.

14          (3) The district attorney may order an autopsy conducted on the body of a  
15 deceased regardless of whether the conditions for ordering an inquest under s.  
16 979.04 (1) are satisfied.

17          (4) An autopsy ordered under this section may be performed only by a licensed  
18 physician who has undergone specialized training in pathology.

19          (5) The requirement to order an autopsy under sub. (2) does not preclude a  
20 coroner or medical examiner from allowing the removal of a body part that is the  
21 subject of an anatomical gift under s. 157.06.

22          (6) Except if ordered under sub. (3), no person may perform an autopsy on the  
23 body of an individual whose death must be reported under s. 948.23 (1) (b) or 979.01  
24 (1) without the written authorization of the coroner or medical examiner who has  
25 jurisdiction to investigate the death under s. 979.01. In cases in which the coroner

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1 or medical examiner issues an authorization to perform an autopsy, the coroner or  
2 medical examiner shall, if possible, issue the authorization within 12 hours after  
3 being notified of the death, or as soon as possible thereafter.

4 (7) If the coroner or medical examiner who has jurisdiction to investigate a  
5 death under s. 979.01 determines that an autopsy or analysis of specimens, bodily  
6 fluids, or other bodily materials is not required for an investigation of a death that  
7 must be reported under s. 948.23 (1) (b) or 979.01 (1) and a representative of the  
8 deceased inquires about performance of an autopsy or analysis of specimens, bodily  
9 fluids, or other bodily materials, the coroner or medical examiner shall inform the  
10 representative of the deceased that the representative of the deceased may contract  
11 for pathology-related services at his or her own expense.

12 **SECTION 62.** 979.025 (title) of the statutes is amended to read:

13 **979.025** (title) **Autopsy Investigation of death of a correctional inmate.**

14 **SECTION 63.** 979.025 (1) of the statutes is amended to read:

15 979.025 (1) INMATE CONFINED TO AN INSTITUTION IN THIS STATE. If a coroner or  
16 medical examiner determines that the death of an individual dies, who died while  
17 he or she is in the legal custody of the department and confined to a correctional  
18 facility located in this state, the coroner or medical examiner of the county where the  
19 death occurred shall perform an autopsy on the deceased individual. If the coroner  
20 or medical examiner who performs the autopsy determines that the individual's  
21 death may have been the result of any of the situations that would permit the district  
22 attorney to order an inquest under s. 979.04 (1), the coroner or medical examiner  
23 shall follow the procedures under s. 979.04 (2).

24 **SECTION 64.** 979.025 (2) of the statutes is amended to read:

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1           979.025 (2) INMATE CONFINED IN AN INSTITUTION IN ANOTHER STATE. If an  
2 individual dies while he or she is in the legal custody of the department and confined  
3 to a correctional facility in another state under a contract under s. 301.07, 301.21,  
4 or 302.25, the department shall have an autopsy and any other appropriate  
5 diagnostic procedure performed by an appropriate authority in the other state or, if  
6 the body is returned to this state, by order of the coroner or medical examiner of the  
7 county in which the circuit court is located that sentenced the individual to the  
8 custody of the department. If the coroner or medical examiner who ~~performs~~ orders  
9 the autopsy or other diagnostic procedure in this state determines that the  
10 individual's death may have been the result of any of the situations that would  
11 permit the district attorney to order an inquest under s. 979.04 (1), the coroner or  
12 medical examiner shall forward the results of the autopsy or other diagnostic  
13 procedure to the appropriate authority in the other state.

14           **SECTION 65.** 979.025 (3) of the statutes is amended to read:

15           979.025 (3) COSTS OF AN AUTOPSY AND DIAGNOSTIC PROCEDURE. The costs of an  
16 autopsy or other diagnostic procedure performed under sub. ~~(1) or (2)~~ or performed  
17 on an inmate confined in a correctional facility in this state whose death must be  
18 reported under s. 979.01 (1) (b) shall be paid by the department.

19           **SECTION 66.** 979.027 of the statutes is created to read:

20           **979.027 Disinterment for autopsy or other diagnostic procedure.** The  
21 district attorney may move the circuit court for the county in which a body is buried  
22 for an order disinterring the body for the purpose of conducting an autopsy or other  
23 diagnostic procedures. The order shall be granted by the circuit court upon a  
24 reasonable showing that any of the criteria specified in s. 979.04 (1) exists. The clerk  
25 of the circuit court shall send a copy of the order to the coroner or medical examiner

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1 in the county in which the body is buried. Upon receipt of the order, the coroner or  
2 medical examiner shall issue a permit for disinterment and reinterment under s.  
3 69.18 (4) (c).

4 **SECTION 67.** 979.03 of the statutes is repealed.

5 **SECTION 68.** 979.032 of the statutes is created to read:

6 **979.032 Coroner or medical examiner investigation records. (1)** The  
7 coroner or medical examiner shall create and maintain for each investigation  
8 conducted under s. 979.01 a record that contains all of the following:

9 (a) The full name of the deceased and any known alias used by the deceased.

10 (b) A coroner or medical examiner case number.

11 (c) A case activity log.

12 (d) An investigation report containing any personal information regarding the  
13 deceased that is relevant to determining the cause and manner of death, the medical  
14 history of the deceased, information relevant to the circumstances of the death, death  
15 scene observations, findings regarding the body of the deceased that are relevant to  
16 determining the cause of death, notation of evidence recovered, including any visual  
17 documentation, a list of other persons or agencies involved in the investigation, and  
18 a list of persons interviewed by the coroner or medical examiner regarding the case.

19 (e) A written autopsy report, if an autopsy is conducted.

20 (f) Documentation of the chain of custody of all evidence and property obtained  
21 by the coroner or medical examiner, including an inventory sheet of prescription  
22 medications, described under s. 979.036 (2), if applicable.

23 **(2)** The coroner or medical examiner shall maintain investigation records  
24 created under sub. (1) in an office that is owned or leased by the county, maintained  
25 by the county, and designated as the office of the county coroner or medical examiner.

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1           **(3)** Subject to s. 979.034, the coroner or medical examiner shall maintain  
2 written policies regarding access to investigation records created or maintained  
3 under this section.

4           **SECTION 69.** 979.034 of the statutes is created to read:

5           **979.034 Confidentiality of coroner or medical examiner investigation**  
6 **records and information.** **(1)** The coroner or medical examiner shall keep  
7 confidential all records obtained under s. 51.30 (4) (b) 29. or 146.82 (2) (a) 18., all  
8 confidential documents obtained by subpoena under s. 979.015, and any information  
9 contained in such records or documents, except that the coroner or medical examiner  
10 may divulge such information as necessary to complete a medical certification under  
11 s. 69.18 (2) and shall provide access to information and records to law enforcement  
12 and district attorneys.

13           **(2)** The coroner or medical examiner shall keep records of autopsies and other  
14 diagnostic procedures, including any photographs or other pictorial images of the  
15 deceased made in connection with a death investigation, and information learned  
16 from a death investigation or other diagnostic procedure confidential. The coroner  
17 or medical examiner may not release such records or information except to persons  
18 to whom the deceased's patient health care records may be released under s. 146.82  
19 (2) without informed consent, to a representative of the deceased or his or her  
20 designee, or for educational purposes.

21           **(3)** If a law enforcement agency, or a district attorney, investigating a death  
22 requests that the coroner or medical examiner keep investigation records under s.  
23 979.032 and information related to an investigation confidential, the coroner or  
24 medical examiner shall keep such records and information confidential for as long

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1 as the law enforcement agency has an open death investigation or the district  
2 attorney requests.

3 **SECTION 70.** 979.036 of the statutes is created to read:

4 **979.036 Handling of personal property of deceased.** (1) Each coroner or  
5 medical examiner shall keep an inventory of any money or other property that the  
6 coroner or medical examiner takes from a death scene or from a deceased and does  
7 not immediately provide to a law enforcement agency as evidence. The coroner or  
8 medical examiner shall release any such property, other than prescription  
9 medication, that belonged to the deceased to a representative of the deceased unless  
10 the property is needed as evidence or unless a court has issued an order to hold the  
11 property for payment of fees associated with the disposal of the body.

12 (2) If the coroner or medical examiner takes prescription medications from a  
13 death scene or from the body of a deceased, the coroner or medical examiner shall list  
14 them on an inventory sheet and sign the inventory sheet. If the coroner or medical  
15 examiner does not provide the prescription medications to a law enforcement agency  
16 as evidence, the coroner or medical examiner shall destroy them in accordance with  
17 applicable county evidence retention policies and appropriate standards for disposal  
18 of medications, except that the coroner or medical examiner shall donate those  
19 prescription medications that satisfy the requirements under s. 255.056 (3) to the  
20 drug repository program under s. 255.056 or to another similar drug repository  
21 program. The coroner or medical examiner shall indicate on the inventory sheet the  
22 disposition of the prescription medications.

23 **SECTION 71.** 979.09 of the statutes is amended to read:

24 **979.09 Burial Disposition of an unidentified or unclaimed body.** If any  
25 judge or circuit court commissioner conducts an inquest as to the death of a stranger



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1 or of a person whose identity is unknown or whose body is unclaimed or if the district  
2 attorney determines that no inquest into the death of such a person is necessary and  
3 the circuit judge has not ordered an inquest under s. 979.04 (2), a coroner or medical  
4 examiner has custody of an unidentified or unclaimed body of an individual whose  
5 death was investigated under s. 979.01, and the coroner or medical examiner has  
6 made reasonable efforts to identify the body or locate a representative of the  
7 deceased, the coroner or medical examiner shall cause the body to be decently buried  
8 or cremated and shall certify to all the charges incurred in taking any inquest by him  
9 or her and to the expenses of burial or cremation of the dead body. The charges and  
10 expenses shall be audited by the county board of the proper county and paid out of  
11 the county treasury with funds other than funds appropriated for the operation of  
12 the coroner's or medical examiner's office. The immunity provisions under s. 157.02  
13 (2m) (b) and (c) apply to a coroner's or medical examiner's actions under this section.

14 **SECTION 72.** 979.10 (1) (a) (intro.) of the statutes is amended to read:

15 979.10 (1) (a) (intro.) No person may cremate the corpse body of a deceased  
16 person within 48 hours after the pronouncement of death, or the discovery of the  
17 death, of the deceased person unless the death was caused by a contagious or  
18 infectious disease. and one of the following conditions applies:

19 (ag) No person may cremate a corpse body unless the person has received a  
20 cremation permit release from one of the following:

21 **SECTION 73.** 979.10 (1) (a) 1., 2. and 3. of the statutes are renumbered 979.10

22 (1) (ag) 1., 2. and 3. and amended to read:

23 979.10 (1) (ag) 1. The coroner or medical examiner in the county where the  
24 death occurred was pronounced if the death occurred was pronounced in this state;  
25 and the death was not subject to an investigation under s. 979.01.

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1           2. The coroner or medical examiner ~~in the county where the event which caused~~  
2 ~~the death occurred if the death occurred in this state and~~ who investigated the death  
3 ~~if the death was pronounced in this state and~~ is the subject of ~~to~~ an investigation  
4 under s. 979.01; ~~or.~~

5           3. The coroner or medical examiner of the county where the ~~corpse~~ body is to  
6 be cremated if the death ~~occurred~~ was pronounced outside this state. ~~A cremation~~  
7 ~~permit issued under this subdivision may not be used in any county except the county~~  
8 ~~in which the cremation permit is issued.~~

9           **SECTION 74.** 979.10 (1) (a) 1m. and 2m. of the statutes are created to read:

10           979.10 (1) (a) 1m. The person determines that the body must be cremated  
11 immediately to effectively contain the disease.

12           2m. A public health authority orders sooner disposal of the body under s.  
13 157.055 (2) (c) during a state of emergency related to public health.

14           **SECTION 75.** 979.10 (1) (b) of the statutes is amended to read:

15           979.10 (1) (b) A coroner or medical examiner shall include in any cremation  
16 ~~permit~~ release issued under par. (a) ~~(ag)~~ a statement that he or she has viewed the  
17 ~~corpse~~ body which is the subject of the ~~permit~~ release and made personal inquiry into  
18 the cause and manner of death under sub. (2) and is of the opinion that no further  
19 examination or judicial inquiry is necessary. The release shall also specify the  
20 earliest date and time that the cremation may occur.

21           **SECTION 76.** 979.10 (1) (c) of the statutes is renumbered 157.113 and amended  
22 to read:

23           **157.113 Permission required to deposit cremated remains in cemetery.**

24 No person may deposit any cremated remains of a corpse in any cemetery without  
25 the permission of the ~~person who owns or is in charge of the cemetery~~ authority.

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1           **SECTION 77.** 979.10 (1) (d) of the statutes is created to read:

2           979.10 (1) (d) If the medical certification of the cause and manner of death of  
3 a deceased is completed by a physician under s. 69.18 (2) (b) or (c), the coroner or  
4 medical examiner shall review the medical certification before issuing a cremation  
5 release for the deceased. It is not a violation of s. 69.24 for a coroner or medical  
6 examiner to make or receive a copy of a death certificate, that has not been filed  
7 under s. 69.18 (1), for purposes of this paragraph. A coroner or medical examiner  
8 may not release such a copy of a death certificate to any other person or use the copy  
9 for a purpose other than complying with the review requirement under this  
10 paragraph.

11           **SECTION 78.** 979.10 (2) of the statutes is amended to read:

12           979.10 (2) ~~If a corpse is to be cremated~~ person requests a cremation release, the  
13 coroner or medical examiner shall view the body, make a careful personal inquiry  
14 into the cause and manner of death, and ~~conduct an autopsy or order the conducting~~  
15 ~~of an autopsy, if in his or her or the~~ coroner, medical examiner, or district attorney's  
16 ~~opinion~~ attorney determines that it is necessary to determine the cause and manner  
17 of death, perform or order an autopsy performed on the body. If the coroner or  
18 medical examiner determines that no further examination or judicial inquiry is  
19 necessary, he or she shall certify that fact and issue a cremation release. Upon  
20 written request by the district attorney the coroner or medical examiner shall obtain  
21 the concurrence of the district attorney before issuing the ~~certification~~ cremation  
22 release. If the coroner or medical examiner determines that further examination or  
23 judicial inquiry is necessary, he or she shall notify the district attorney under s.  
24 979.04 (2) and refuse to issue a cremation release until the examination or judicial  
25 inquiry is concluded.

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1           **SECTION 79.** 979.10 (3) of the statutes is repealed.

2           **SECTION 80.** 979.10 (4) of the statutes is amended to read:

3           979.10 (4) Whoever accepts, receives, or takes any ~~corpse~~ body of a deceased  
4 person with intent to destroy the ~~corpse~~ body by means of cremation, or who cremates  
5 or aids and assists in the cremation of any ~~corpse~~ body of a deceased person without  
6 having presented the ~~permit~~ release specified in sub. (1) (ag), shall be fined not more  
7 than \$10,000 or imprisoned not more than 9 months or both.

8           **SECTION 81.** 979.10 (5) of the statutes is created to read:

9           979.10 (5) If a coroner or medical examiner issues an authorization under s.  
10 979.105 for a body but refuses to issue a cremation release for the body under sub.  
11 (2), the coroner or medical examiner and the county are not liable for the cost of  
12 storing the body.

13           **SECTION 82.** 979.10 (6) of the statutes is created to read:

14           979.10 (6) A person receiving a body under s. 157.02 (1m) (c) or 157.06 for the  
15 purpose of medical research or education shall request a cremation release from the  
16 coroner or medical examiner who has jurisdiction to issue a cremation release under  
17 sub. (1) (ag) before moving the body out of the county served by the coroner or medical  
18 examiner.

19           **SECTION 83.** 979.22 of the statutes is amended to read:

20           **979.22 Autopsies Fees for other autopsy and toxicological services**  
21 **other diagnostic procedures by coroners or medical examiners.** A coroner  
22 or medical examiner may perform autopsies and ~~toxicological services~~ other  
23 diagnostic procedures not required under this chapter and may charge a fee  
24 established by the county board for such autopsies and ~~services~~ procedures. The fee

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1 may not exceed an amount reasonably related to the actual and necessary cost of  
2 providing the service autopsy and procedures.

3 **SECTION 84. Nonstatutory provisions.**

4 (1) EXAMINING BOARD; INITIAL TERMS. Notwithstanding the length of terms  
5 specified for the members of the medicolegal investigation examining board under  
6 section 15.405 (18) of the statutes, as created by this act, initial appointments to the  
7 medicolegal investigation examining board shall be made as follows:

8 (a) The forensic pathologist member under section 15.405 (18) (a) of the  
9 statutes, as created by this act; the member under section 15.405 (18) (c) of the  
10 statutes, as created by this act; the member under section 15.405 (18) (e) of the  
11 statutes, as created by this act; and the member under section 15.405 (18) (i) of the  
12 statutes, as created by this act, shall be appointed for terms expiring on July 1, 2016.

13 (b) The coroner member under section 15.405 (18) (a) of the statutes, as created  
14 by this act; the member under section 15.405 (18) (b) of the statutes, as created by  
15 this act; the member under section 15.405 (18) (d) of the statutes, as created by this  
16 act; and the member under section 15.405 (18) (h) of the statutes, as created by this  
17 act, shall be appointed for terms expiring on July 1, 2018.

18 (c) The medical examiner member under section 15.405 (18) (a) of the statutes,  
19 as created by this act; the member under section 15.405 (18) (f) of the statutes, as  
20 created by this act; and the member under section 15.405 (18) (g) of the statutes, as  
21 created by this act, shall be appointed for terms expiring on July 1, 2020.

22 (2) CURRENTLY SERVING INDIVIDUALS.

23 (a) In this subsection:

24 1. "Medical examiner" means a nonphysician medical examiner or a physician  
25 medical examiner.

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1           2. “Medicolegal investigation staff member” includes a chief deputy coroner, a  
2 deputy coroner, a deputy medical examiner, and any individual who assists the office  
3 of a coroner or medical examiner with an investigation of a death. “Medicolegal  
4 investigation staff member” does not include an individual performing solely  
5 administrative functions in the office of a coroner or medical examiner.

6           3. “Nonphysician medical examiner” means a medical examiner appointed  
7 under section 59.34 (1) (a) or 59.38 (5) of the statutes who is not a physician.

8           4. “Physician” has the meaning given in section 448.01 (5) of the statutes.

9           5. “Physician medical examiner” means a medical examiner appointed under  
10 section 59.34 (1) (a) or 59.38 (5) of the statutes who is a physician.

11           (b) Notwithstanding section 463.10 (2) (a) of the statutes, as created by this act,  
12 the medicolegal investigation examining board shall issue an initial license in  
13 medicolegal investigation under section 463.10 (2) of the statutes, as created by this  
14 act, to every individual who is serving as coroner, nonphysician medical examiner,  
15 and medicolegal investigation staff member in this state on the effective date of this  
16 paragraph.

17           (c) 1. Notwithstanding section 463.10 (2) (a) 2. of the statutes, as created by this  
18 act, no initial license fee may be imposed for individuals issued an initial license  
19 under paragraph (b).

20           2. Notwithstanding s. 463.05 (2) (b), as created by this act, no fee may be  
21 imposed for training provided by the board under s. 463.10 (3) (a) 1. and 2. a., as  
22 created by this act, for individuals issued an initial license under paragraph (b).

**SECTION 85. Initial applicability.**

23           (1) DEATH INVESTIGATIONS; AUTHORIZATION TO EMBALM OR DISPOSE OF A BODY;  
24 CREMATION RELEASE; DISPOSITION OF BODIES. The treatment of sections 69.01 (12), 69.18  
25

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1 (2) (d) 1., 2., and 3., and (3) (a), (b), and (d), 157.02 (1), (1m) (title), (2), (2m), (3), (4),  
2 and (5), 157.03 (1) and (2), 157.055 (2) (intro.), 346.71 (2), 440.78 (1) (b), 979.001,  
3 979.01 (title), (1), (1d), (1g), (1i), (1k), (1p), (1r), (3), (3m), and (4), 979.017, 979.025  
4 (title), (1), (2), and (3), 979.03, 979.032, 979.034, 979.036, 979.09, 979.10 (1) (a)  
5 (intro.), 1., 1m., 2., 2m., and 3., (b), (c), and (d), (2), (3), (4), (5), and (6), and 979.22  
6 of the statutes, the renumbering and amendment of sections 979.01 (1m) and (2) and  
7 979.02 of the statutes, the amendment of section 979.02 (title) of the statutes, and  
8 the creation of sections 979.01 (1m) (b) and (2) (b) and 979.02 (2), (3), (4), (5), (6), and  
9 (7) of the statutes first apply to deaths occurring on the effective date of this  
10 subsection.

11 (2) **DISINTERMENT PERMITS.** The treatment of sections 69.18 (4) (a) (intro.) and  
12 1g. to 6., (am) (intro.), (b), (bm), (d), (e), and (f) and 157.112 (3) (intro.) of the statutes  
13 first applies to disinterments performed on the effective date of this subsection.

**SECTION 86. Effective date.**

14 (1) This act takes effect on the first day of the 13th month beginning after  
15 publication.  
16

17 (END)