



MICHAEL SCHRAA

STATE REPRESENTATIVE • 53RD ASSEMBLY DISTRICT

P.O. Box 8953
Madison, WI 53708

Office: (608) 267-7990
Toll-Free: (608) 534-0053
Rep.Schraa@legis.wi.gov

Testimony on AB 366

Thank you, Chairman Spiros and members of the committee, for allowing me to provide testimony on Assembly Bill 366 dealing with coroner and medical examiner reforms and training.

Coroners, medical examiners, and their assistants perform a crucial function in our communities. Currently, Wisconsin has no training or licensure requirements for these individuals. There are some coroners and medical examiners across the state that already have training, but that is not always the case. Currently, we have about 550 coroners, medical examiners, and other death investigation staff in Wisconsin, but approximately 350 of them have little or no training in death investigations. In fact, Wisconsin is one of only four states without any requirements for death investigation training. Most other states require initial and ongoing training, or they require a coroner or medical examiner to be a medical doctor.

This bill specifies that anyone performing the duties of a medical examiner or a person assisting a coroner or medical examiner must be licensed and trained under a newly created Medicolegal Investigation Examining Board. Coroners and accredited medical examiners are exempt from this requirement under the bill.

AB 366 creates a new licensing and training board, but it is not intended to keep individuals out of the profession or to protect the jobs of those currently serving. The purpose of the bill is to protect the public by making sure that individuals who investigate deaths are provided with appropriate training. That training will give professionals the tools they need to insure accuracy in death certificates. This is necessary for public health and safety.

Accurate death investigations provide important evidence to convict criminals, protect the innocent, and help in civil litigation. Without training, it is possible that crucial details could be missed. Those missed details could allow a murder to go unsolved, or a drug overdose to be misdiagnosed.

Because we require no minimal level of training, Wisconsin is lagging behind other states. At one of the most vulnerable and sensitive times in a family's life, it is crucial to have someone who is properly trained to conduct the death investigation. The changes made in this bill will help coroners, medical examiners, and their staff do their jobs more efficiently and effectively.

In addition to the creation of the examining board and training and licensure requirements, this bill makes changes to the statutes governing death investigations, notification of deaths, reporting requirements, and the disposition of remains. Many of these statutes have not been reformed for many years.

The creation of the examining board, training and licensure requirements, and statutory reforms outlined in this bill come at the request of the coroners and medical examiners from across Wisconsin. Moving forward, they want to assure the public of the professionalism of their members.

Thank you for your attention. I will be glad to answer your questions after Rep. Shankland has given her testimony.



Testimony in Support of Assembly Bill 366
Assembly Committee on Criminal Justice and Public Safety
June 8, 2017

Chairman Spiros and members of the committee, I appreciate this opportunity to testify in support of Assembly Bill 366, legislation to update standards and training requirements for coroners and medical examiners.

Under current law, coroners are elected officials who are not required to have specialized knowledge or training in death investigations. Yet coroners and medical examiners carry a tremendous responsibility when they carry out their duties. They discover evidence that is used in criminal cases and civil litigation, uncover safety violations, and influence public health statistics through the death certificates they complete.

Just as it is required that District Attorneys hold a law degree, so should it be that coroners undergo basic training upon election so they may adequately perform their job duties to the best of their ability as they serve the public. While it's important to recognize that most of Wisconsin's coroners and medical examiners are professionals and take their job seriously, in some cases, we have seen irresponsible and dangerous behavior.

In 2011, the Rock County coroner ruled a death an accident that was later ruled a homicide by a forensic pathologist. In addition, a colleague of the coroner was convicted of stealing medication from the deceased. Another example is even more shocking: a former Oneida County medical examiner was found guilty of two counts of misconduct in public office for taking a cadaver spine and human tissue from autopsies to train her dog.

We can prevent these kind of incidents from happening by setting clear standards and requirements for anyone conducting a death investigation in order to maintain the integrity of the investigation and ensure it is medically sound. Assembly Bill 366 would establish standards for death investigations, create a Medicolegal Investigation Examining Board to oversee licensing, and specify training requirements for coroners. These measures would provide coroners and medical examiners with the support and skills to best serve their constituents, which is crucial for criminal investigations and the emotional healing of families with deceased loved ones.

Two legislative sessions ago, the Assembly Committee on State Affairs and Government Operations heard from a family who was still haunted by the death of their loved one due to an inadequate death investigation. A man in Monroe County died after a fall the family members deemed suspicious, but the coroner allowed the body to be cremated before the authorities could collect evidence that would be necessary to rule out foul play. For surviving families like theirs who deserve answers and have missed out on financial recourse like life insurance, I ask for your support of this legislation. It's been a long time coming.

For at least a decade, Wisconsin's coroners and medical examiners have been advocating for this needed legislation that will benefit their profession in multiple ways. We have heard from many coroners who are in support of this legislation – and I want to give you a positive example of how this legislation could help.

Last summer, a family farmer in Amherst passed away tragically as he was agitating an open manure pit in the early morning. Portage County Coroner Scott Rifleman originally considered whether methane gas may have been the cause of death. After speaking with a UW Forensic Toxicologist and a UW Agricultural Safety Specialist, who explained that she thought the cause of death was actually hydrogen sulfide poisoning, Coroner Rifleman located the one lab in the country that could test for hydrogen sulfide in the farmer's blood. Thanks to Coroner Rifleman's efforts, he was able to obtain scientific evidence that hydrogen sulfide was the cause of death and ascertain the exact level of it.

Why is this important? Because the farmer's family has gone on to raise over \$50,000 to support farm safety education efforts across the state to ensure that this never happens again. The family also lost 20 cattle and had to list the cause of death for the cattle for their insurance. The high level of detail that the coroner provided this devastated family is exactly the kind of professional investigation that every family deserves.

Rep. Schraa and I have worked closely with the Wisconsin Coroner & Medical Examiner Association and multiple other stakeholder groups to ensure that Assembly Bill 366 addresses the glaring need for uniform medicolegal standards and training requirements without infringing on other professions.

Wisconsin is one of only five states that requires no death investigative training for coroners and medical examiners. It's time for this to change – the stakes are too high. I ask for the committee's support of Assembly Bill 366. Thank you.