
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 172
[2023 Senate Bill 174]

Requiring Use of an Electronic System When Medically Certifying Cause of Death

BACKGROUND

State law requires the Department of Health Services (DHS) to establish an Office of Vital Records and appoint a state registrar who, among other duties, directs the system of vital records. DHS currently uses an electronic system of vital records.

State law requires that a death record be filed by certain parties identified in statute, a function most commonly fulfilled by a funeral director. The filing party must obtain certain factual information for the death record and then, within 24 hours of being notified of a death, present the record to the appropriate individual for completion of the medical certification, which is a portion of the death record providing cause of death and other information. Depending on the circumstances of the death, the medical certification may be completed and signed by a medical examiner, coroner, physician, or one of various types of specified medical professionals with access to a decedent's medical history.

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Prior law required that the person completing and signing the medical certification return the death record to the filing party either by mailing the death record within five days after the pronouncement of death or presenting the death record within six days after the pronouncement of death.

2023 Wisconsin Act 172 requires any person who completes and signs a medical certification to use DHS's electronic system of vital records to complete and sign the medical certification as required under current law. Relatedly, the act eliminates the option for individuals completing and signing the medical certification to mail the death record to the filing party.

The act also requires DHS, within a reasonable time, to implement nationally recognized health information exchange standards to ensure the interoperability of its electronic system of vital records and other electronic health record software in support of workflows related to medical certifications for death records.

Effective date: The act generally takes effect on March 1, 2026, except that the requirement that DHS implement certain interoperability standards within a reasonable time took effect on March 24, 2024.

For a full history of the bill, visit the Legislature's [bill history page](#).

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