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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**Memo published:** January 12, 2024

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**2023 Assembly Bill 185**

**Assembly Amendment 1**

### BACKGROUND

Current 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.

Current 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 other specified medical professionals with access to a decedent's medical history. Current law requires that the individual 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. The filing party then submits the death record to the local vital records office for registration with DHS's Office of Vital Records.

Under current practice, the electronic system of vital records is widely used by funeral directors, medical examiners, and coroners, and less commonly used by other individuals authorized to complete a medical certification, such as physicians. Those individuals who complete a medical certification without use of the electronic system of vital records instead use a "fax attestation form." Under this method, the medical certification is sent by facsimile to the filing party for manual entry into the electronic system of vital records.

### 2023 ASSEMBLY BILL 185

2023 Assembly Bill 185 requires any person who completes and signs a medical certification to use the electronic system of vital records to complete and sign the medical certification as required under current law. The bill also eliminates the option for individuals completing and signing the medical certification to mail the death record to the filing party. Finally, the bill delays the effective date of these provisions for 24 months.

### ASSEMBLY AMENDMENT 1

Assembly Amendment 1 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. The amendment provision takes effect the day after publication.

## **BILL HISTORY**

The Joint Legislative Council introduced 2023 Assembly Bill 185 on April 20, 2023. Representative Moses offered Assembly Amendment 1 on December 6, 2023. On January 10, 2024, the Assembly Committee on Health, Aging and Long-Term Care recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 185, as amended, on successive votes of Ayes, 16; Noes, 0.

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

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