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**TO: Members of the Legislative Council Study Committee on Uniform Death Reporting Standards**

**FROM: Matt Crespin**  
*Executive Director*  
*Children's Health Alliance of Wisconsin*

**Nathan Berken**  
*Director of Government Relations*  
*Medical College of Wisconsin*

**DATE: December 14, 2022**

**RE: Please Support LRB 0521/P4, Legislation Relating to Fatality Review Teams and Granting Rule-Making Authority**

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The Medical College of Wisconsin (MCW), and Children's Health Alliance of Wisconsin, appreciate the opportunity Chairperson Ballweg and the Members of the Committee have fostered as it relates to discussing the potential for Wisconsin to create a clear and effective legislative framework for fatality review teams in Wisconsin.

Fatality review teams are multidisciplinary groups that review unexpected deaths. Although Wisconsin public health statute supports the existence of these teams, state statute specific to fatality reviews is needed to provide a uniform interpretation of their purpose and activities, including data sharing and confidentiality.

MCW and Children's Health Alliance of Wisconsin support LRB 0521/P4, and appreciate the opportunity to discuss the legislation in its current form. The current draft includes a number of critically important modifications from the original draft.

Our organizations understand that the Committee may choose not to incorporate additional changes, beyond what were discussed within the most recent hearing. Having said that, we respectfully request the Committee to review and consider three additional modifications, listed below:

- 1) Section 7, page 6, line 13-14 and 19: Request "shall" to "may" to read "*The department may establish a fatality review program for one or more specific types of reviewable cases...*" This would allow for the development of specific programs for particular types of reviewable cases (e.g. Child Death Review, Overdose Fatality Review) without requiring a program be developed



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to cover all types of reviewable cases. This change is also suggested as there is no financial support attached to bill and some programs are already in existence.

- 2) We would also suggest that language be added to indicate that if the department does develop a program for specific types of reviewable cases, that local fatality review teams are expected to follow the guidance provided by DHS.
  
- 3) Section 7, page 9, lines 8 and 17: Inquiring potential addition of a reference to "*as permitted under federal law*" regarding the sharing of treatment records and educational records. Although we recognize that state law cannot override federal law, this change will ensure clarity as it relates to also complying with federal requirements particularly in these two areas.

MCW and Children's Health Alliance of Wisconsin appreciate your consideration of this critical initiative. If you have any questions or would like additional information, please don't hesitate to contact Nathan Berken, MCW's Director of Government Relations, at 414.955.8217, or via email at [nberken@mcw.edu](mailto:nberken@mcw.edu). Thank you.