

2003-04 SESSION  
COMMITTEE HEARING  
RECORDS

Committee Name:

Senate Committee on  
Health, Children,  
Families, Aging and  
Long Term Care  
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR\_RCP\_pt01a
- 03hrAC-EdR\_RCP\_pt01b
- 03hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ 03hr\_sb0196b\_pt02

➤ Miscellaneous ... Misc

➤ \*\*

➤ Record of Comm. Proceedings ... RCP

➤ \*\*

## Jermstad, Sara

---

**From:** Wischnewski, Marne  
**Sent:** Wednesday, May 21, 2003 3:18 PM  
**To:** Jermstad, Sara

DATE: May 21, 2003

**TO:** LEGISLATIVE COLLEAGUES  
**FROM:** SENATOR CAROL ROESSLER AND REPRESENTATIVE GREGG UNDERHEIM  
**SUBJECT:** **LRB 2325/2 and LRB 2680/2 re: authorizing a hospice nurse to make a pronouncement of death.**

We are introducing legislation on behalf of the Hospice Organization and Palliative Experts of Wisconsin (HOPE). HOPE is the state organization of all hospice and palliative care programs. This legislation would allow registered nurses who are employed by a licensed hospice to pronounce death in the case of anticipated death. The certification of death still rests with the physician. If the death was not anticipated the coroner would be called as an investigation would be warranted.

Last year approximately 13,000 Wisconsin residents died while receiving hospice care, the great majority in their homes. Presently, when a hospice patient dies at home the hospice nurse is called and immediately goes to the home. After s/he determines the person has died, s/he then must call the physician to ask him/her to pronounce the death. This can take anywhere from several minutes to hours depending on the time of day or night. In the meantime, the body can not be removed, the family can not use its phone to begin making needed calls, etc. When the physician returns the call, the nurse advises him/her that the patient appears to be dead as evidenced by no breathing sounds, no heart tones, no blood pressure and no respiratory effort. Then the physician agrees the person has died. The physician then certifies the death at the time s/he pronounces it. In some instances this has been several hours after the occurrence and, on occasion, even a different day if this happens around midnight. This time/date difference can be very upsetting to a family.

If you would like to co-sponsor this bill please contact Senator Roessler's office at 6-5300 or Rep. Underheim's office at 266-2254 by June 6, 2003.

*Analysis by the Legislative Reference Bureau*

Under current law, a hospital, nursing home, or hospice that is the place of death of an individual may prepare a certificate of death for the individual and give it to the funeral director or other person who is authorized to move the corpse for final disposition. The physician of the deceased individual or, in certain circumstances, the coroner or medical examiner, must, within five days after the pronouncement of death, complete and sign a medical certificate for the death and mail the certificate or, within six days after the pronouncement of death, present the certificate to the funeral director or other person, who must file the certificate with the local registrar.

This bill authorizes a hospice nurse (a registered nurse who is employed by or under contract with a hospice) in a hospice that is directly involved with the care of a hospice patient to pronounce the date, time, and place of the patient's death, if the patient was generally under the care of a physician at the time of death and the death was anticipated.



03-2680/2

**Jermstad, Sara**

**From:** Asbjornson, Karen  
**Sent:** Monday, June 02, 2003 9:11 AM  
**To:** Jermstad, Sara  
**Subject:** FW: Is this a good idea?  
fyi from Jack...

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----  
**From:** Schneider, Christian  
**Sent:** Friday, May 30, 2003 9:16 AM  
**To:** Asbjornson, Karen  
**Subject:** FW: Is this a good idea?

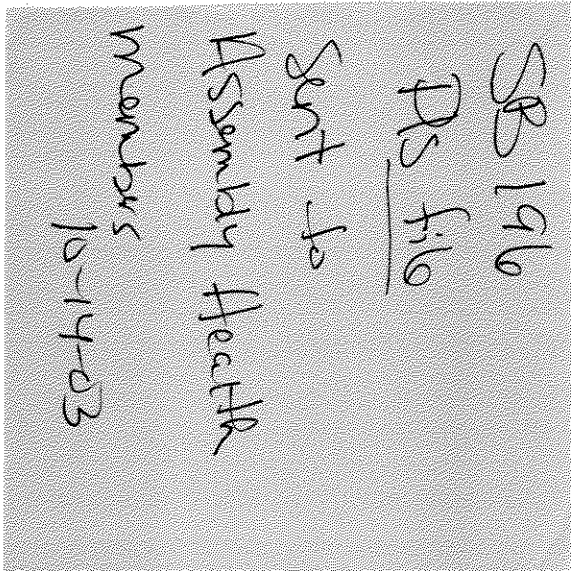
Hey - my mom is a hospice nurse, so I ran your bill by her. She thinks it's a great idea. Here are some of her suggestions, for possible use at a hearing, etc:

-----Original Message-----  
**From:** Caschneider@aol.com [mailto:Caschneider@aol.com]  
**Sent:** Tuesday, May 27, 2003 3:06 PM  
**To:** Christian.Schneider@legis.state.wi.us  
**Subject:** Re: Is this a good idea?

Yes, this is a great idea. The smoother the closure, the better for the families involved. Hospice nurses, (RN's) are competent in predicting imminent death, (for families to gather) and actual death for declaring "time of death." From my experience, finalizing the passage at that moment is an important sequence in directing the family's farewells instead of waiting for the ok from an unseen person...

Waiting for the doctor to call and tying up the line shouldn't be a problem...Have the nurse use a cell phone. A problem arises in that some people feel they may not be dead until the Dr. says so, so they hang on to false hope. A large time lapse for the Dr.'s return call could be avoided if the RN calls the Dr. earlier in the day- or shift saying she will be calling soon because she expects imminent death. But any time delays does put a tension in the "event"...

Just my thoughts...



SB 196  
DR's file  
Sent to  
Assembly Health  
members  
10-14-03

06/02/2003

LRB 2325  
June 6

# WISCONSIN STATE SENATE

SENATOR	PHONE	ROOM	STAFF
(12) BRESKE, Roger	6-2509	310 S.	Susan McMurray, Elizabeth Piliouras, Kristin Settle
(31) BROWN, Ronald W.	6-8546	104 S.	Katie Mnuk, Hannah Vick, James Wawrzyn, Nick Hennemann
(3) CARPENTER, Tim	6-8535	126 S.	Stuart Ewy, Albert Collins
(16) CHVALA, Charles	6-9170	130 S.	Susan Meinholz, Maribeth Witzel-Behl, Paula McGuire
(2) COWLES, Robert	6-0484	122 S.	Roger Frings, Jennifer Halbur, Cynthia, Boley
(8) DARLING, Alberta	6-5830	317 E.	Jessica Tormey, Thomas Petri, Tom O'Day, Rebecca Hogan Katherine Ford, David Volz
2 (29) DECKER, Russell	6-2502	323 S.	Barbara Worcester, Patrick Walsh, Linda Warren
(19) ELLIS, Michael	6-0718	118 S.	Lynn Nelson, Kurt Schultz, Kay Reetz, Michael Boerger
4 (27) ERPENBACH, Jon	6-6670	202 S.	Nancy Bills, Tryg Knutson, Julie Laundrie, Carrie Templeton, Terry Tuschen
(13) FITZGERALD, Scott	6-5660	316 S.	Cindy Block, Thomas Rhatican, Judi Rhodes Engels, Ryan Smith
(6) GEORGE, Gary	6-2500	22 S.	Tyrone Daniels, Locha Thao
(30) HANSEN, Dave	6-5670	319 S.	Jay Wadd, Eric Genrich, Jessica Lundquist, John Wagnitz
(10) HARSDORF, Sheila	6-7745	131 S.	Jack Jablonski, Christian Schneider, Kimberly Tohm, James Erickson, Matt Woebke
(25) JAUCH, Robert	6-3510	19 S.	David Jahr, Linda Kleinschmidt, Daniel Kanninen
(33) KANAVAS, Ted	6-9174	20 S.	Bruce Pfaff, Marianne Foster, Michael Richards, Jeremy Shepherd
(11) KEDZIE, Neal	6-2635	313 S.	Dan Johnson, Matt Phillips, Heather Smith, Cory Bruce
2 (1) LASEE, Alan	6-3512	219 S.	Shari Lord, Kenlyn Harris, Allison Coakley
3 (24) LASSA, Julie	6-3123	3 S.	Jessica Kelly, Dan Kursevski
(28) LAZICH, Mary	6-5400	127 S.	Cathleen Connolly, Ann Marie Molitor, Thomas Van Ess, Wendi Zitske
(9) LEIBHAM, Joseph	6-2056	409 S.	Patrick Vander Sanden, Daniel Lindstedt, Brett Davis, Kathryn Prange
(32) MEYER, Mark	6-5490	109 S.	Grant Huber, Bryan Brooks, Ryan Natzke
(4) MOORE, Gwendolynne	6-5810	415 S.	Shirley Ellis, Leanne Bergstrom, Kelly Bablitch, Rachel Roller
(20) PANZER, Mary	6-7513	211 S.	Greg Hubbard, Tad Ottman, Rose Lemke, Lisa Davidson, Kelly Rindfleish
(7) PLALE, Jeff	6-7505	106 S.	Susie Schooff, Katy Venskus, Jeff Valenzuela
(5) REYNOLDS, Tom	6-2512	306 S.	Steve Krieser, Adam Peer, Les Wakefield
5 (26) RISSER, Fred	6-1627	123 S.	Leslie Travis, Cindy Ashley, Sarah Briganti, Dianne Cieslewicz
4 (15) ROBSON, Judith	6-2253	5 S.	Kathleen Soderbloom, Kelley Flury, Justin Sargent
(18) ROESSLER, Carol	6-5300	8 S.	Karen Asbjornson, Sara Jermstad, Michael Driedric, Sara Seaquist
(17) SCHULTZ, Dale	6-0703	18 S.	Thomas Jackson, John O'Brien, Eileen O'Neill, Jonathan Klein
(21) STEPP, Cathy	6-1832	7 S.	Scott Manley, Pat Rasmussen, Jay Risch, Brian Pleva
(14) WELCH, Robert	6-0751	10 S.	Mary Ellen Boario, Christopher Newhouse, Bradley Boycks, Tricia Sieg, Amy Ferris
6 (22) WIRCH, Robert	7-8979	108 S.	Pat Erickson, Amber Meyer, Kelly Johnson
(23) ZIEN, David	6-7511	15 S.	Robert Seitz, Peter Hanson, John Hogan, Susan Marcott

Senate Chief Clerk	6-2517	401 (RJC)	Donald J. Schneider	Legislative Hotline	6-9960	121 (RJC)
Leg. Human Resources	4-8471	301 (RJC)	Joel Warnick	(Toll-free Number)	1-800-362-WISC	(9472)
Senate Office Accounts	6-2517	401 (RJC)	Moni Rohr	Hearing Impaired	1-800-228-2115	
Journals & Records	6-1803	401 (RJC)	Donna Doyle	Document Rm/Supplies	6-2400	121(RJC)
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Senate Mail	6-1006	B35S (C)	Charles Johnson	L R B (Drafting)	6-3561	5 <sup>th</sup> Fl (H)
Hearing Rooms' Schedule	6-2506	B32S (C)	Sherab Lhatsang	L R B (Reference)	6-0341	2 <sup>nd</sup> Fl (H)
LTSB Help Desk	7-9528	17 (SF)	Leg. Website:	www.legis.state.wi.us/		

DIRECT ALL SENATE CORRESPONDENCE TO: P. O. BOX 7882, MADISON, WI 53707-7882

(C)=Capitol, (E)=1E. Main, (SF)=S. Fairchild, (RJC)=Risser Justice Center

Effective: 05/08/03

<u>REPRESENTATIVE</u>	<u>ROOM</u>	<u>PHONE</u>
AINSWORTH, John (R-6)	309-North	6-3097
ALBERS, Sheryl (R-59)	3-North	6-8531
BALOW, Larry (D-68)	126-North	6-9172
BERCEAU, Terese (D-76)	208-North	6-3784
BIES, Garey (R-1)	125-West	6-5350
BLACK, Spencer (D-77)	214-North	6-7521
BOYLE, Frank (D-73)	221-North	6-0640
COGGS, G. Spencer (D-17)	210-North	6-5580
COLON, Pedro (D-8)	5-North	7-7669
CULLEN, David (D-13)	216-North	7-9836
FITZGERALD, Jeff (R-39)	308-North	6-2540
FOTI, Steven (R-38)	215-West	6-2401
FREESE, Stephen (R-51)	115-West	6-7502
FRISKE, Donald (R-35)	312-North	6-7694
GARD, John (R-89)	211-West	6-3387
GIELOW, Curt (R-23)	316-North	6-0486
GOTTLIEB, Mark (R-60)	304-North	7-2369
GRONEMUS, Barbara (D-91)	114-North	6-7015
GROTHMAN, Glenn (R-58)	15-North	4-8486
GUNDERSON, Scott (R-83)	7-West	6-3363
GUNDRUM, Mark (R-84)	19-North	7-5158
HANN, Eugene (R-47)	15-West	6-3404
HEBL, Tom (D-46)	304-West	6-7678
HINES, J.A. (R-42)	10-West	6-7746
HUBER, Gregory (D-85)	218-North	6-0654
HUBLER, Mary (D-75)	119-North	6-2519
HUEBSCH, Michael (R-94)	304-East	6-0631
HUNDERMARK, Jean (R-40)	13-West	6-3794
JENSEN, Scott (R-98)	123-West	4-6970
JESKEWITZ, Suzanne (R-24)	314-North	6-3796
JOHNSRUD, DuWayne (R-96)	323-North	6-3534
KAUFERT, Dean (R-55)	308-East	6-5719
KERKMAN, Samatha (R-66)	109-West	6-2530
KESTELL, Steve (R-27)	17-West	6-8530
KRAWCZYK, Judy (R-88)	9-North	6-0485
KREIBICH, Robin (R-93)	107-West	6-0660
KREUSER, James (R-64)	201-West	6-5504
KRUG, Shirley (D-12)	212-North	6-5813
KRUSICK, Margaret (D-7)	128-North	6-1733
LADWIG, Bonnie (R-63)	113-West	6-9171
LASEE, Frank (R-2)	105-West	6-9870
LASSA, Julia (D-71)	122-North	7-9649
LEHMAN, John (D-62)	303-West	6-0634
LEHMAN, Michael (R-99)	103-West	7-2367
LeMAHIEU, Daniel (R-59)	17-North	6-9175
LOEFFELHOLZ, Gabe (R-49)	317-North	6-1170
LOTHIAN, Thomas (R-32)	306-North	6-1190
McCORMICK, Terri (R-56)	127-West	6-7500
MEYER, Dan (R-34)	306-East	6-7141
MILLER, Mark (D-48)	112-North	6-5342

<u>REPRESENTATIVE</u>	<u>ROOM</u>	<u>PHONE</u>
MONTGOMERY, Phil (R-4)	129-West	6-5840
MORRIS, Johnnie (D-11)	118-North	6-3756
MUSSER, Terry (R-92)	11-West	6-7461
NASS, Stephen (R-31)	12-West	6-5715
NISCHKE, Ann (R-97)	8-North	6-8580
OLSEN, Luther (R-41)	9-West	6-8077
OTT, Alvin (R-3)	318-North	6-5831
OWENS, Carol (R-53)	315-North	7-7990
PETROWSKI, Jerry (R-86)	4-West	6-1182
PETTIS, Mark (R-28)	20-North	7-2365
PLALE, Jeffrey (D-21)	107-North	6-0610
PLOUFF, Joe (D-29)	306-West	6-7683
POCAN, Mark ((D-78)	322-West	6-8570
POPE-ROBERTS, Sondy (D-79)	420-North	6-3520
POWERS, Michael (R-80)	310-North	6-1192
RHOADES, Kilty (R-30)	321-East	6-1526
RICHARDS, Jon (D-19)	6-North	6-0650
RILEY, Antonio (D-18)	209-North	6-0645
SCHNEIDER, Marlin (D-72)	204-North	6-0215
SCHOOFF, Dan (D-45)	220-North	6-9967
SERATTI, Lorraine (R-36)	18-North	6-3780
SHERMAN, Gary (D-74)	320-West	6-7690
SHILLING, Jennifer (D-95)	120-North	6-5780
SINICKI, Christine (D-20)	321-West	6-8588
STASKUNAS, Tony (D-15)	124-North	6-0620
STEINBRINK, John (D-65)	307-West	6-0455
STONE, Jeff (R-82)	320-East	6-8590
SUDER, Scott (R-69)	21-North	7-0280
TOWNS, Debi (R-43)	302-North	6-9650
TOWNSEND, John (R-52)	22-West	6-3156
TRAVIS, David (D-81)	223-North	6-5340
TURNER, Robert (D-61)	219-North	6-0731
UNDERHEIM, Gregg (R-54)	11-North	6-2254
VAN AKKEREN, Terry (D-26)	409-North	6-0656
VAN ROY, Karl (R-90)	8-West	6-0616
VRAKAS, Daniel (R-33)	119-West	6-3007
VRUWINK, Amy Sue (D-70)	412-North	6-8366
VUKMIR, Leah (R-14)	307-North	6-9180
WARD, David (R-37)	324-East	6-3790
WASSERMAN, Sheldon (D-22)	111-North	6-7671
WEBER, Becky (R-5)	115-West	6-2418
WIECKERT, Steve (R-57)	16-West	6-3070
WILLIAMS, Annette (D-10)	113-North	6-0960
WILLIAMS, Mary (R-87)	18-West	6-7506
WOOD, Jeffrey (R-67)	7-North	6-1194
WOOD, Wayne (D-44)	104-North	6-7503
YOUNG, Leon (D-16)	109-North	6-3786
ZEPNICK, Josh (D-9)	418-North	6-1707
ZIEGELBAUER, Bob (D-25)	207-North	6-0315

*Taylor*

CHIEF CLERK, Patrick Fuller	208-RJC	6-5811
Asst. Chief Clerk, Vacant	208-RJC	7-4355
Adm. Asst/Maint.Request (Linda)	208-RJC	6-7674
General Info/Supplies (Laura)	208-RJC	6-1501
Records (Ken)	208-RJC	6-2406
Bulletins (Jody)	208-RJC	6-2545
Journals (Kay)	208-RJC	6-5550
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Assembly Printing/Travel (Mary)	208-RJC	6-1108
Assembly Office Accts. (Julianne)	208-RJC	6-3826
Telephones/Voicemail (Lonn)	208-RJC	6-2006
Chief Clerk Fax Number		6-5617
Legislative Human Resources	301-RJC	4-8471
Rick Skindrud, Sgt-at-Arms	411-West	7-9808
Sergeant's Staff	411-West	6-1503

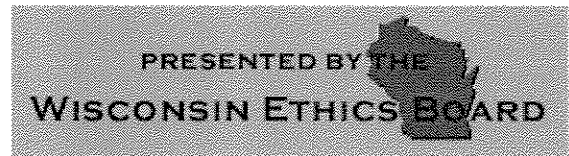
Supplies / Document Room	121-RJC	6-2400
Quick Copy Center	17 SF	6-5591
Leg. Audit Bureau	22 E. Mifflin	6-2818
Leg. Council	401-Main	6-1304
Leg. Fiscal Bureau	301-Main	6-3847
Legislative Hotline (Toll-free number)	121-RJC	6-9960
Hearing Impaired	800-362-9472	
Leg. Post Office	800-228-2115	
LRB-Reference Section	B25-West	6-5837
LRB-Bill Drafting	2nd-Hamilton	6-0341
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	B2-North	6-7700

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Photographer-Brent Nicastro	B-7-West	1-9476
Photographer-Jay Salvo	B-14-West	7-0897

Leg. Website: [www.legis.state.wi.us](http://www.legis.state.wi.us)  
 Mailing: PO Box 8952(Reps A-L) PO Box 8953(Reps M-Z) Madison, WI 53708 E-Mail: Rep.(insert last name)@legis.state.wi.us  
 HEARING ROOMS: NHR(2ND FL) 4-8317...417 NORTH (GAR) 4-8318...225 NW 6-3454...300 NE 6-7646...328 NW 6-2403...400 NE 6-2848  
 412 E 6-7632...415 NW 6-2411

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- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Friday, September 12, 2003

2003-2004 legislative session

## Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

- Text, Sponsors and Analysis
- Status and Fiscal Estimate
- Lobbying Effort on this item

### Senate Bill 196

authorizing a hospice nurse to make a pronouncement of death

Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
•	•	Wisconsin Professional Police Association	6/25/2003	?	

Select a legislative proposal and click "go"

**House**

**Proposal Type**

**Proposal Number**  (enter proposal number)

**Legislative Session**

# Committee Meeting Attendance Sheet

## Committee on Health, Children, Families, Aging and Long Term Care

Date: 9/16 Meeting Type: \_\_\_\_\_

Location: 411 S

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Senator Carol Roessler, Chairs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 8 \_\_\_\_\_

SB 196  
fddr

### Committee Meeting Attendance Sheet

## Committee on Health, Children, Families, Aging and Long Term Care

Date: 9-16-03 Meeting Type: Public Hearing  
Location: 400 SE

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Senator Carol Roessler, Chairs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 7 \_\_\_\_\_





**Wisconsin Medical Society**  
Your Doctor. Your Health.



**HospiceCare Inc.**  
LEADERS IN PALLIATIVE CARE

Date: September 16, 2003

TO: Representative Gregg Underheim      Senator Carol Roessler  
Chair, Assembly Health Committee      Chair, Senate Health Committee  
Members, Assembly Health Committee      Members, Senate Health Committee

FROM: Kay Heggestad, MD  
Wisconsin Medical Society  
Don and Marilyn Anderson HospiceCare Center, Medical Director

RE: Hospice Nurse Pronouncement of Death: Support AB 405 and SB 196

On behalf of over 10,000 members of the Wisconsin Medical Society, and the Don and Marilyn Anderson HospiceCare Center, thank you for this opportunity to testify in support of AB 405 and SB 196. I urge members of the committees to vote in favor of these bills, which would allow a registered nurse to pronounce death in a hospice setting. If enacted, the current procedures for pronouncement of death will be significantly improved, positively impacting patient care, hospice services, and overall management of death in the hospice setting.

In today's hospice setting, a registered nurse may not proclaim that a patient has died. A nurse may be at the scene of death, or may be called to the scene of the death. If the person is dead, a physician must be called, and may pronounce the death by the phone. The basic core of any nursing or medical degree teaches an individual how to determine if someone is alive or dead. Clearly, registered hospice nurses are as capable as physicians at both recognizing and pronouncing death. This basic element could and should be added to a registered hospice nurse's scope of practice. Often the physician who makes the pronouncement has never met and has no knowledge of the patient. In some cases, it may take a few hours to contact a physician who is willing to pronounce the death. Since the time on the certificate is the time the physician was informed of the death, the time and sometimes even the date on the final certificate may be significantly different from the actual time of death. This is upsetting to families. If enacted, these bills will allow for death in a hospice setting to move more expediently, and easier, for families and hospice physicians and nurses.

Another reason why these bills will improve current practice is that it will allow for a quicker transfer of the patient's body to a funeral home or other place of internment. Current practice will not allow for the body of the deceased to be taken to a funeral home until death has been pronounced. Because all of the deaths in hospice, by definition, are expected, certain procedures are in place to ensure that death pronouncement is appropriately managed. In the event where a hospice nurse or other provider suspects that an injury, accident or foul play may have occurred, it is standard protocol for that individual to call the coroner.

I strongly support enacting hospice nurse pronouncement of death in Wisconsin. Several other states have enacted similar laws. Thank you for your time and consideration. Please contact me at 276-4660 or Liz Schumacher, Legislative Counsel for the Wisconsin Medical Society, at 442-3769 if you would like further information or have questions.

**Halbur, Jennifer**

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**To:** Ottman, Tad; Hubbard, Gregory  
**Subject:** AB 37, SB 196, SB 243

Hi,

We exec'd the following bills out of the Senate Health Committee on 9-17-03. Senator Roessler would all of these bills considered priority (SB 243 and SB 196 are on the list we submitted to you).

Thanks!

Jennifer



9-17-03 sb 196  
nurses, sb 243 ...

**Senate Bill 196** relating to: authorizing a hospice nurse to make a pronouncement of death.

**BILL SPONSORS**

Introduced by Senators **Roessler, A. Lasee**, Lassa, Erpenbach, Robson, Wirsch and Decker.  
Cosponsored by Representatives Underheim, Gielow, Hundertmark, Ladwig, Albers, Balow, Hahn, Huber, J. Lehman, Owens, Taylor, M. Williams and Wasserman.

**BILL HISTORY**

Senate Bill 196 was introduced and referred to the Committee on Health, Children, Families, Aging and Long Term Care on June 12, 2003. A public hearing was held on September 16, 2003. An executive session was held on September 17, 2003.  
**The committee recommended SB 196 passage on an 8-1 (Schultz) vote.**

**LRB ANALYSIS**

**Current Law:** Under current law, a hospital, nursing home, or hospice that is the place of death of an individual may prepare a certificate of death for the individual and give it to the funeral director or other person who is authorized to move the corpse for final disposition. The physician of the deceased individual or, in certain circumstances, the coroner or medical examiner, must, within five days after the pronouncement of death, complete and sign a medical certificate for the death and mail the certificate or, within six days after the pronouncement of death, present the certificate to the funeral director or other person, who must file the certificate with the local registrar.

**Proposed Changes:** This bill authorizes a hospice nurse (a registered nurse who is employed by or under contract with a hospice) in a hospice that is directly involved with the care of a hospice patient to pronounce the date, time, and place of the patient's death, if the patient was generally under the care of a physician at the time of death and the death was anticipated.

**Major Impact:** Senate Bill 196 allows a hospice nurse to pronounce the date, time and place of a hospice patient's death.

**FISCAL EFFECT**

**There is no fiscal note for this bill.**

**SUPPORT**

**The following people appeared in favor of this bill:** (1) Senator Carol Roessler; (2) Eric Bauman, Middleton; (3) Royce DeBow, Jr., Delavan; (4) Kay Heggstad, M.D., WI Medical Society and Hospice Care Inc., Madison; (5) Becky Patterson, Black River Falls; (6) Linda Grilley, Comfort Care and Hospice Services Wausau Hospital; (7) Melanie Ramey, The Hope of Wisconsin, Madison; and (8) Keri Christianson, HOPE.

**The following people registered in favor of this bill:** (1) Tony Driessen, Vitas Hospice; (2) John Quinn, RN, CHPN, HospiceCare Inc.; and (3) Todd McVey, HospiceCare Inc.

**OPPOSITION**

**The following person appeared in opposition to this bill:** (1) President John Stanley, WI Coroners of Medical Examiners Assoc., Madison.

**No one registered in opposition to this bill.**

**CONTACT**

**Jennifer Halbur, Senator Carol Roessler, 266-5300**

**DATE**

**September 26, 2003**

**SENATE SESSION  
OCTOBER 1, 2003  
SB 196**

**SENATE BILL 196 AUTHORIZES A HOSPICE NURSE IN  
A HOSPICE THAT IS DIRECTLY INVOLVED WITH THE  
CARE OF A HOSPICE PATIENT TO PRONOUNCE THE  
DATE, TIME AND PLACE OF THE PATIENT'S DEATH.  
THE PATIENT MUST HAVE BEEN UNDER THE CARE OF  
A PHYSICIAN AT THE TIME OF DEATH AND THE  
DEATH MUST HAVE BEEN ANTICIPATED.**

**WHEN A HOME HOSPICE PATIENT DIES AT HOME,  
THE HOSPICE NURSE IS CALLED AND IMMEDIATELY  
GOES TO THE HOME. AFTER THE NURSE  
DETERMINES THAT PERSON HAS DIED, HE OR SHE  
THEN MUST CALL THE PHYSICIAN TO ASK HIM/HER  
TO PRONOUNCE DEATH.**

**WAITING FOR THE PHYSICIAN TO RETURN THE CALL CAN CAUSE UNDO STRESS. NOTHING CAN BE DONE PRIOR TO THE PHYSICIAN'S PHONE CALL. THE BODY CANNOT BE REMOVED AND THE FAMILY CANNOT USE THE PHONE TO CALL LOVED ONES, UNLESS THEY HAVE CALL WAITING OR A CELL PHONE.**

**CALLING THE PHYSICIAN TO PRONOUNCE DEATH IS NOT NECESSARY IN A HOSPICE CARE SITUATION.**

**THE BASIC CORE OF ANY NURSING OR MEDICAL DEGREE TEACHES AN INDIVIDUAL HOW TO DETERMINE IF SOMEONE IS ALIVE OR DEAD.**

**HOSPICE NURSES HAVE THE KNOWLEDGE NECESSARY TO DETERMINE IF A PERSON HAS DIED AND SHOULD BE ABLE TO PRONOUNCE DEATH.**

**THIS BILL WOULD SIMPLY ALLOW A HOSPICE NURSE TO PRONOUNCE THE PATIENT'S DEATH. SB 196 DOES**

**NOT CHANGE CURRENT LAW RELATING TO THE  
CERTIFICATION OF DEATH. THIS WOULD REMAIN  
WITH THE PHYSICIAN.**

Cons notified by people in Hospice -  
- fall - die then must see must call coroner.

9-16-03

**SENATE COMMITTEE ON HEALTH, CHILDREN,  
FAMILIES, AGING AND LONG TERM CARE**

cessation - hosp  
- u heard.

**SENATE BILL 196**

SENATE BILL 196 AUTHORIZES A HOSPICE NURSE  
IN A HOSPICE THAT IS DIRECTLY INVOLVED WITH  
THE CARE OF A HOSPICE PATIENT TO  
PRONOUNCE THE DATE, TIME, AND PLACE OF THE  
PATIENT'S DEATH. THE PATIENT MUST HAVE  
BEEN UNDER THE CARE OF A PHYSICIAN AT THE  
TIME OF DEATH AND THE DEATH  
MUST HAVE BEEN ANTICIPATED.

The Patients Dies  
a nurse certainly  
can determine.  
vs calling a  
to sup  
this!

- No training have to  
take place.

- hinder - coroner -  
Hospice notices - coroner,

Hospice - medical Director  
Care team Physician nurse; other -  
TRY NOT - to be involved

WHEN A HOME HOSPICE PATIENT DIES AT HOME,  
THE HOSPICE NURSE IS CALLED  
AND IMMEDIATELY GOES TO THE HOME. AFTER  
THE NURSE DETERMINES THE PERSON HAS DIED,

LICENSED

Done as coroner in opposition create unless any  
problems  
- homicide or suicide, injured - result accident creates addressed to hosp?  
coroner Don't talk. already trained for this!



HE OR SHE THEN MUST CALL THE PHYCISIAN TO ASK HIM/HER TO PRONOUNCE DEATH.

Return CALL

WAITING FOR THE PHYSICIAN TO ARRIVE CAN CAUSE UNDO STRESS. NOTHING CAN BE DONE PRIOR TO THE PHYSICIAN'S ARRIVAL. THE BODY CAN NOT BE REMOVED AND THE FAMILY CANNOT USE THE PHONE TO CALL LOVED ONES.

Call

unable reach Dr. Brown's Physician

THIS BILL SIMPLY WOULD ALLOW A HOSPICE NURSE TO PRONOUNCE THE PATIENT'S DEATH. SB 196 DOES NOT CHANGE CURRENT LAW RELATING TO THE CERTIFICATION OF DEATH. THIS WOULD REMAIN WITH THE PHYSICIAN.

In no way Nurses required by statute to pronounce death Iowa, Michigan

State Med Society

RN licensed

October 1, 2003

To: Carol

From: Jennifer

Re: Barry Busby

I talked to Laura Rose about Barry. Below are the concerns he expressed to her and her thoughts.

- Barry: Concerned about a part time nurse pronouncing death if the primary care nurse is not there.

Laura: The bill states that the hospice nurse must be directly involved with the patient. She thought it may be possible for a part time nurse to pronounce but she or he is only recording the date, time and place of death, not certifying the death.

- Barry: Concerned about a body needing to be cremated sent to another county. The coroner would have to drive to that county.

Laura: The bill does not change the fact that the coroner has to sign off before a cremation can begin. She does not see how this bill affects his scenario. What he is stating could happen under current law.

The bill does not change the fact that a coroner must be called before a cremation and to look into suspicious deaths or a death where there are injuries.

Laura stressed that the bill allows hospice nurses to pronounce death, not certify. Everything he referred to dealt with certification issues or scenarios that could happen under current law.

*Notification*

Carol - Here is a draft  
letter to send  
Assembly Health

Gregg  
Let's go!

Committee members.  
Let me know if you  
would like changes.

Thanks -

Jennifer

October 13, 2003

Representative Gregg Underheim, Chair  
11 North State Capitol  
Madison, WI 53703

Dear Chairman Underheim,

I strongly encourage you to support two bills that are before you today: Senate Bill 243, relating to dental and dental hygiene services provided to Medical Assistance recipients and Senate Bill 196, relating to authorizing a hospice nurse to make a pronouncement of death.

### Senate Bill 243

Senate bill 243 does two things:

- 1) It adds dental hygienists to the definition of "volunteer health care provider." This will include dental hygienists as participants in the volunteer health care provider program.
- 2) It will allow dentists and dental hygienists to provide volunteer dental services to participants in the medical assistance program, while covered under the state's liability policy.

Insufficient availability of dental care for low-income individuals is a problem that has faced Wisconsin for many years. SB 243 will increase the opportunities available for low-income patients to receive dental care.

If this bill passes, it will directly affect many clinics statewide, including a new clinic in the Fox Valley. The Tri-County Community Dental Clinic is currently under construction and when complete will serve low-income individuals in Calumet, Outagamie and Winnebago Counties. It is anticipated that this clinic will serve up to 30,000 low-income patients.

Retired dentists who may have been deterred from offering volunteer dental services to low-income and Medicaid eligible individuals will now have the opportunity to help clinics like this one succeed.

**Senate Bill 196**

Senate Bill 196 authorizes a hospice nurse in a hospice that is directly involved with the care of a hospice patient to pronounce the date, time and place of the patient's death.

Currently, when a home hospice patient passes away at home, the hospice nurse makes the determination that the person has died and then must call the physician to ask him or her to pronounce death.

Current law should be changed. The call to a physician to pronounce death is not needed in a hospice situation. Hospice nurses have the knowledge necessary to determine if a person has died and should be able to pronounce death.

SB 196 would simply allow a hospice nurse to pronounce the patient's death. SB 196 does not change current law relating to the certification of death. This would remain with the physician.

Thank you for allowing me to share my views with you on SB 243 and SB 196. I hope that you will vote to support of these bills today.

Sincerely,

CAROL ROESSLER  
State Senator  
18th Senate District

**Halbur, Jennifer**

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**From:** Asbjornson, Karen  
**Sent:** Monday, October 13, 2003 10:17 AM  
**To:** Halbur, Jennifer  
**Subject:** FW: 2nd AMENDED NOTICE-Assembly Health Public Hearing/Exec. Session - Oct. 14, 2003

Is CR testifying on her bill tomorrow ? SB 243

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

**From:** Rep.Underheim  
**Sent:** Monday, October 13, 2003 10:15 AM  
**To:** \*Legislative All Assembly; \*Legislative All Senate  
**Subject:** 2nd AMENDED NOTICE-Assembly Health Public Hearing/Exec. Session - Oct. 14, 2003

**\*AMENDED NOTICE\***

*Assembly*

## **PUBLIC HEARING & EXECUTIVE SESSION**

### **Committee on Health**

The committee will hold a public hearing on the following items at the time specified below:

Tuesday, October 14, 2003  
10:00 AM  
417 North (GAR Hall)

#### **Assembly Bill 500** (*companion to SB 243 which is listed below*)

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

By Representatives Wieckert, Pettis, Musser, Hahn, Rhoades, Van Roy, Seratti, Berceau, Miller, Gundrum, J. Lehman, Ott, Gunderson, M. Lehman, Owens, Ladwig, Albers, Loeffelholz, Nass, Coggs, Krawczyk, Kaufert, Jensen, Lothian, Grothman, Kreibich, Bies, Staskunas, Hundertmark, Friske, Petrowski, Plouff, Vrakas, Hines and McCormick; cosponsored by Senators Roessler, Brown, Robson, S. Fitzgerald, Zien, Carpenter, Schultz, Risser, Ellis, Decker, Harsdorf, Wirch and Lazich.

#### **Senate Bill 243**

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

By Senators Roessler, Brown, Carpenter, Schultz, Zien, Chvala, Darling, Decker, Ellis, S. Fitzgerald, Harsdorf, Lassa, Lazich, Moore, Risser, Robson, Hansen, Wirch, Kedzie and Panzer; cosponsored by Representatives Wieckert, Kaufert, Albers, Berceau, Bies, Coggs, Friske, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hundertmark, Jensen, Krawczyk, Kreibich, Ladwig, J. Lehman, M. Lehman, Loeffelholz,

Lothian, McCormick, Miller, Musser, Nass, Ott, Owens, Petrowski, Pettis, Plouff, Rhoades, Seratti, Staskunas, Van Roy, Vrakas, J. Wood, Young and Taylor.

**Assembly Bill 560**

Relating to: use of federal registration numbers required for prescribers of controlled substances and providing a penalty.

By Representatives Vukmir, Underheim, Wasserman, Gielow, Schneider, Hahn, Van Roy, M. Lehman, Owens, Powers, Ainsworth, Huebsch, D. Meyer, Gundrum, Ward, Balow, Suder, Montgomery, Gottlieb, Nass, Cullen, Kreibich, Gronemus, Hundertmark, Petrowski, Pettis, Stone, Hines, Friske, Towns, Bies and Townsend; cosponsored by Senators Kanavas and Darling.

**Assembly Bill 397**

Relating to: chelation therapy.

By Representatives Albers, Seratti and Van Roy; cosponsored by Senator Schultz.

*\*\*An executive session may be held on AB 405, AB 500, SB 243 or SB 196.*

Representative Gregg Underheim  
Chair