

SUBJECT: PRONOUNCEMENT OF DEATH & CORONER'S OFFICE RESPONSE

REF: Wis. State Statute(s) 69.18; 979.01; HFS 135.08

PURPOSE: To assist in making a determination on when the duty coroner must respond to a death scene and to establish a written policy as provided in Wisconsin Administrative Code HFS 135.08 for pronouncement of death outside of a hospital or skilled nursing facility

1.0 NURSING HOMES DEATHS

- 1.1 The patients attending physician should make pronouncement of deaths occurring at a skilled nursing facility. If a physician is not in house then the death is communicated by a Registered Nurse to a physician by telephone who makes legal pronouncement. If a physician cannot be immediately contacted then the Coroner's Office should be contacted to make pronouncement.
- 1.2 If there has been trauma or injury and the decedent has not returned to pre-trauma status, then it is a Coroner's case and will require the Coroner's Office to investigate and sign the death certificate. This injury/accident is irrespective of whether or not the injury/accident directly contributed to the death or whether the injury or trauma occurred at the nursing home or elsewhere. (Ex. - An ambulatory patient falls and fractures hip, has surgery and never returns to ambulatory status, then dies.) These cases will require a Coroner's Office response. Pronouncement can still be made as outline above.
- 1.3 All nursing home death occurring within 24 hours of admission are reportable to the Coroner's Office and will require a coroner's office response.
- 1.4 All deaths regardless of who makes pronouncement and doesn't require a Coroner's Office response shall then be communicated to the Coroner's Office on the Coroner's Office notification form and can be faxed to the Coroner's Office at 608-742-0609. If there is no injury or trauma or the death didn't occur within 24 hours of admission the on-duty coroner does not need to respond.

2.0 HOSPITAL DEATHS

- 2.1 All Emergency Room deaths are reportable and require a Coroner's response as they occur within 24 hours of admission. Pronouncement should be made by the on duty Emergency Room Physician.
- 2.2 Any death that occurs with 24 hours of admission is reportable and will require a Coroner's response.
- 2.3 Deaths that occur after 24 hours of admission are typically not a Coroner's office case. The exception would be if the death were the result of an accident/injury, a therapeutic misadventure, or other non-natural death. The determining factor in an accident/injury case is whether or not the victim returned to pre-

accident status. If the victim suffers some type of accident/injury and never returns to pre-injury status, then the case is a Coroner's case (s.s. 979.01)

2.4 The attending physician generally certifies natural deaths that occur after 24 hours of admission.

3.0 COMMUNITY BASED RESIDENTIAL FACILITIES (CBRF'S)

3.1 ALL CBRF deaths are reportable and will require a Coroner's Office response, if for no other reason than to make legal pronouncement. If the resident of a CBRF has not been in attendance of a physician in the preceding 30 days the Coroner's Office shall certify the death.

4.0 HOME DEATHS

4.1 Any home death, except home hospice deaths will require a Coroner response, if for no other reason than to make a legal pronouncement. If the physician has not been in attendance in the preceding 30 days, then the Coroner's Office will be the certifier.

5.0 HOSPICE DEATHS

5.1 If a patient has been admitted to a Hospice Program and the Coroner's Office has received the pre-notification then a Coroner's Office response may not be required. The hospice nurse in attendance shall make a death determination pursuant to Wisconsin State Statute 146.71 and note the time. The Hospice Nurse shall then communicate the death to the on-duty coroner. The on-duty Coroner shall then make a determination if a scene response will be necessary. Criteria for a scene response will include what the final disposition may be. This is only important should the final disposition be cremation and the deceased it to be moved out of county. If the hospice patient has not been under the general care of the primary care physician in the preceding 30 days then the Coroner's Office shall certify the death and may require a scene response The hospice nurse shall complete a notice of removal (HCF 5043) and a file a copy with the local registrar and the Coroner's Office.

5.2 The above paragraph shall also apply to any registered hospice patient in a skilled nursing facility or CBRF.

5.3 If the physician is the pronouncer the death shall still be communicated with Coroner's Office so that the patient can be removed from the registry.

5.4 Deaths of patients being supervised under home visiting nursing service or home health services are not hospice deaths and will require a Coroner's Office response to make pronouncement.

6.0 OTHER

- 6.1 All other death places will require a Coroner's response and the Coroner's Office shall certify the death.
- 6.2 All non-natural deaths shall require a Coroner's response for pronouncement and the Coroner's Office shall certify the death.
- 6.3 All deaths that occur while the decedent is in custody. This includes a state penal institution, County jail, or Municipal lock up. This also includes any person who dies in a healthcare facility while in custody, including an emergency detention.

7.0 LEGAL PRONOUNCEMENT

A physician, coroner, deputy coroner, medical examiner or deputy medical examiner can only make a death determination via the **telephone** under the following circumstances:

- 7.1 At a hospital when the information is communicated to the physician or Coroner via a Registered Nurse
- 7.2 At a nursing home when the information is communicated to the physician or Coroner via a Registered Nurse.

8.0 DEATH CERTIFICATE SIGNING - CERTIFYING THE DEATH (s.s.69.18)

The Coroner's Office shall sign the death certificate in these cases under the following circumstances:

- 8.1.1 All non-natural deaths as required by statute (*s.s.979.01*)
- 8.1.2 Natural deaths when the decedents primary care physician has not been in attendance in the preceding 30 days. (*s.s. 979.01*)
- 8.1.3 Natural deaths when the decedent dies of a condition or disease process to which he was not being treated or cared for by his primary care physician. (*s.s. 69.18*)
- 8.1.4 When the primary care physician is unwilling, unavailable to sign. (*s.s.979.01*)

9.0 CONTACTING THE DUTY CORONER

9.1 To contact the duty coroner telephone the Sample County Sheriff's Department Communication Center at xxxxxxxx and ask that the duty coroner be paged. Be prepared to give the communications center basic information surrounding the death.

10.0 PENALTIES

10.1 Whoever violates this policy is subject to a fine of not more than \$10,000.00 or up to 9 months in jail or both. Repeat offenders are subject to more severe penalties.

– Coroner

– District Attorney