



To: Jenni Dye – Policy Director, Office of Governor Tony Evers

From: Erin Longmire – Executive Director, Funeral Service & Cremation Alliance

Re: Proposed Emergency Rule & Statute Changes in Response to COVID – 19 Pandemic

Date: March 20, 2019

We applaud the critical steps that Governor Evers has taken to limit the spread of COVID-19 and mitigate the impact of illness.

However, it is a sad inevitability that - as we have seen in other countries - there could be mass-fatalities. Funeral service providers will be on the front lines dealing with the COVID – 19 deaths in addition to their usual daily death rate. These additional COVID-19 deaths may overload their capabilities.

Below details some emergency rule and statutory changes that we recommend be put into place to mitigate the spread of the disease and provide funeral professionals with the ability to do their job most efficiently. These would only apply to those deaths where COVID-19 is listed as the underlying cause on the death certificate.

Statutory & Rule Changes

1. Remove the requirement under Chapter 979.10 (1)(b) for mandatory viewing of a body by a coroner or medical examiner prior to cremation if a physician has signed the death certificate and listed COVID-19 as the underlying cause of death.
2. Under Chapter 979.10, require the issuance of a cremation permit within 48 hours following the death if the death certificate has been signed by a physician and listed COVID-19 as the underlying cause of death.
3. Remove any requirement that mandates a medical examiner or coroner sign the death certificate if the death certificate has already been signed by a physician and listed COVID-19 as the underlying cause of death.
4. Require electronic signatures on death certificates from physicians during the statewide emergency with all death certificates to be signed within 48 hours after the death if the underlying cause of death is COVID-19.

Funeral Service as an Essential Service / Critical Infrastructure Industry

Death care professionals stand ready to provide meaningful assistance to our nation by caring for the dead and their grieving families. However, in order to do their jobs, they need to be protected.

1. Personal Protective Equipment (PPE) availability and access:

In order to perform essential public health tasks, death care workers must have access to PPEs (i.e. masks, gloves). Caring for the body of an individual who has died of COVID-19 puts funeral directors and embalmers at risk for exposure to the virus. We ask that you ensure death care workers have priority access to PPEs like those in the healthcare field.

2. Exemption from quarantine orders:

The Department of Homeland Security's Cybersecurity and Infrastructure Security Agency named mortuary works as "critical infrastructure workers" under guidance issued on March 19, 2020. According to the guidance, "If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule." Mortuary workers are included in the Healthcare / Public Health category.

Because of this, we want to ensure that mortuary workers are exempt from any state or local "shelter in place" orders or mandatory business closures.

3. Priority for vaccines:

Due to the high risk of exposure to the COVID-19 virus while caring for the bodies of those who die of COVID-19, we urge that death care workers be included in the top-tier of essential services to receive a vaccine when it becomes available. In 2008 when faced with the H1N1 Pandemic, CDC elevated "Mortuary Service Providers" to the Tier II level for vaccine prioritization. There are six tiers to the system with the most critical workers and personnel in Tiers I, II, and III. We ask for similar consideration for our members with a COVID-19 vaccine as we confront this latest pandemic.

Thank you for your prompt attention to these issues. On behalf of our members in Wisconsin, we stand ready, as always, to care for the dead and the families left behind.

Sincerely,



FSCA Executive Director