



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Andrea Palm, Secretary

Directive relating to the safe disposal of human remains during the state of emergency relating to public health

The Governor issued Executive Order #95 on November 20, 2020, declaring a public health emergency. Under Sections 157.055(2)(a) and 323.10 of the Wisconsin Statutes, during a state of emergency related to public health, the Department of Health Services may issue and enforce orders that are reasonable and necessary to provide for the safe disposal of human remains, including by embalming, burial, cremation, interment, disinterment, transportation, and other disposal.

The State of Wisconsin is in the midst of a deadly, uncontrolled spike in cases of COVID-19, resulting in a high volume of deaths. The University of Washington's Institute for Health Metrics and Evaluation projects that, based on current data, 5,554 Wisconsinites could die of COVID-19 by January 1, 2021. Such an influx requires that the systems and services necessary for the safe disposal of deceased human beings are able to continue performing this function safely. An order is necessary to ensure that COVID-19 victims and their families are treated with dignity and respect, mortuary services staff are protected from unnecessary infection, and personal protective equipment is conserved.

For these reasons, I Andrea Palm, Secretary-designee of the Wisconsin Department of Health Services, hereby direct the following:

(1) Viewing of a corpse to be cremated following death from COVID-19.

(a) Notwithstanding Section 979.10(1)(b), if any physician, coroner, or medical examiner has signed the death certificate of a deceased person and listed COVID-19 as an underlying cause of death, a coroner or medical examiner may issue a cremation permit to cremate the corpse of that deceased person without viewing the corpse.

(b) Notwithstanding Section 979.10(1)(b), if a coroner or medical examiner is notified that a decedent was COVID-19 positive at time of death and this result is confirmed with the treating health care facility or provider, or public health department, a coroner or medical examiner may issue a cremation permit to cremate the corpse of that deceased person without viewing the corpse.

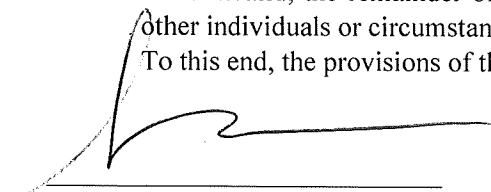
(2) Time for issuing a cremation permit for a person who has died of COVID-19.

Notwithstanding Section 979.10(a), if a physician, coroner, or medical examiner has signed the death certificate of a deceased person and listed COVID-19 as the underlying cause of death, a coroner or medical examiner shall issue a permit for the cremation within 48 hours after the time of death or the discovery of the death.

(3) Requiring signature on death certificates within 48 hours if death is caused by COVID-19.

If the underlying cause of death is determined to be COVID-19, the person required to sign the death certificate shall provide a signature on the death certificate within 48 hours after the death occurs.

- (4) **Electronic signatures.** In the disposition of human remains process, where state law is silent as to signature mechanism, practitioners are encouraged to rely on electronic signatures where it is in their professional judgment that doing so will not undermine the integrity of the process.
- (5) **Duration.** This Order shall enter into effect immediately and is contingent upon Executive Order #95, currently set to expire on January 19, 2021, or any subsequent superseding emergency order.
- (6) **Severability.** If any provision of this Order or its application to any person or circumstances is held to be invalid, the remainder of the Order, including the application of such part or provision to other individuals or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.



Andrea Palm
Secretary-designee
Department of Health Services

12/03/2020
Date