

2011 DRAFTING REQUEST

Assembly Amendment (AA-SB204)

Received: 11/03/2011

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Sandy Pasch (608) 266-7671**

By/Representing: **Fred**

May Contact:

Drafter: **pgrant**

Subject: **Education - miscellaneous**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Rep.Pasch@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Epinephrine auto-injectors

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 11/03/2011	kfollett 11/03/2011		_____			
/1	pgrant 11/03/2011	kfollett 11/03/2011	rschluet 11/03/2011	_____	sbasford 11/03/2011	sbasford 11/03/2011	
/2			phenry 11/03/2011	_____	ggodwin 11/03/2011	ggodwin 11/03/2011	

FE Sent For:

<END>

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/?	pgrant 11/03/2011	kfollett 11/03/2011	<i>12/3/11</i>	_____			
/1		<i>12/5/11</i> rschluet 11/03/2011	<i>ph</i>	_____	sbasford 11/03/2011	sbasford 11/03/2011	

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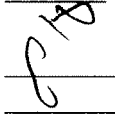
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1/?	pgrant	11/5/11 11/7/11					

FE Sent For:

<END>

Grant, Peter

From: Ludwig, Frederic
Sent: Thursday, November 03, 2011 2:41 PM
To: Grant, Peter
Subject: FW: AB 276

Sorry for the runaround/confusion. See below for what Leg Council now suggests. Could we have this drafted as a "third option"?

From: Larson, Brian
Sent: Thursday, November 03, 2011 2:36 PM
To: Ludwig, Frederic
Subject: AB 276

Hi Fred –

I am writing to confirm the details of our phone conversation this afternoon regarding AB 276, relating to allowing certain pupils to possess and use an epinephrine auto-injector. You asked whether either current law or the bill (in its current form) requires anyone to report the allergic reaction by calling "911" in the event a student administers his or her own epinephrine under the bill.

The answer is no. The bill does not include a 911 requirement. And the only reference in current law to calling 911 when epinephrine is administered at a school is contained in s. 118.29(2)(2m), Stats. That section authorizes a school bus driver, employee, volunteer, administrator, etc., to administer epinephrine to a pupil who appears to be experiencing a severe allergic reaction. In the event this occurs, the section requires the school personnel to call 911 to report the allergic reaction. But that entire section applies ONLY to situations in which school personnel administer the epinephrine. Section 118.29(2) does not apply in a case where a student administers his or her own epinephrine.

Therefore, if the 911 requirement is desired, we would suggest an amendment to the bill that creates a new subsection (1v) to Section 118.292, which would require the school to have a written policy concerning the procedure for possession and use of an epinephrine auto-injector by a pupil. At a minimum, the policy shall include: (1) a requirement that the school inform the pupil that in the event he or she administers the epinephrine, he or she should notify school personnel as soon as possible; and (2) a requirement that the school call 911 to report the allergic reaction in the event that a student provides notice to the school that he or she has administered the epinephrine.

Brian T. Larson
Staff Attorney
Wisconsin Legislative Council
(608) 266-0680

Date (time) needed Today

LRBa 1990 / 1

PGA: ktf

AMENDMENT

See form **AMENDMENTS — COMPONENTS & ITEMS.**

S A AMENDMENT

TO S A AMENDMENT _____ (LRBa /),

TO S A SUBSTITUTE AMENDMENT _____ (LRBs /),

TO 2011 SB SJR SR AB AJR AR 204 (LRB- /)

At the locations indicated, amend the bill as follows:
(fill ONLY if “engrossed” or “as shown by”)

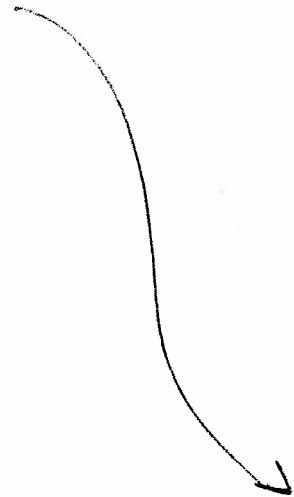
#. Page 2, line 19: after that line insert:

#. Page, line:

#. Page, line:

#. Page, line:

#. Page, line:



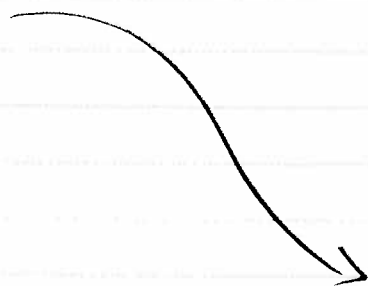
~~298~~

(1v) The school shall ^{adapt} a written policy describing the procedure for ^{a pupil's} possession and use of an ^{epinephrine} epinephrine ^{auto-injector} auto-injector under sub. (1r).

~~part~~ The policy shall include all of the following:

(a) A requirement that ~~the~~ school ^{personnel} inform the pupil that if he ^{or} or she uses the epinephrine auto-injector, he ^{or} or she shall notify school personnel as soon as possible.

(b) A requirement that, if the pupil notifies school personnel under ^{par. (a)} par. (a), school personnel shall report





ASSEMBLY AMENDMENT ,
TO 2011 SENATE BILL 204

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 25: after that line insert:

3 “(3) As soon as practicable after a pupil uses an epinephrine auto-injector, the
4 pupil or school staff shall report the emergency situation and the pupil’s use of the
5 epinephrine auto-injector by dialing the telephone number “911” or, in an area in
6 which the telephone number “911” is not available, the telephone number for an
7 emergency medical service provider.”.

8 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1990/1 ✓ 2
PG:kjf:rs

ASSEMBLY AMENDMENT ,
TO 2011 SENATE BILL 204

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 19: after that line insert:

3 **(1v)** The school shall adapt a written policy describing the procedure for a
4 pupil's possession and use of an epinephrine auto-injector under sub. (1r). The policy
5 shall include all of the following:

6 (a) A requirement that school personnel inform the pupil that if he or she uses
7 the epinephrine auto-injector, he or she shall notify school personnel as soon as
8 possible.

9 (b) A requirement that, if the pupil notifies school personnel under par. (a),
10 school personnel shall report the pupil's use of the epinephrine auto-injector by
11 dialing the telephone number "911" or, in an area in which the telephone number

adopt

1 “911” is not available, the telephone number for an emergency medical service
2 provider.”.

3 (END)