



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 96

**Assembly
Amendment 1**

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Contact: Brian Larson, Senior Staff Attorney

2017 ASSEMBLY BILL 96

2017 Assembly Bill 96 allows an authorized individual to acquire and maintain an epinephrine auto-injector pursuant to a prescription issued in accordance with the statute. An authorized individual who meets the requirements specified in the statute may provide or administer the epinephrine auto-injector to any individual whom they believe in good faith is experiencing anaphylaxis.

The bill provides liability protection to an authorized individual for injury from the administration or failure to administer an epinephrine auto-injector, and to any prescriber or pharmacist who makes an epinephrine auto-injector available to an authorized individual.

An “authorized individual” is defined as an individual who operates or participates in a business, activity, or event at which allergens capable of causing anaphylaxis may be present.

ASSEMBLY AMENDMENT 1

In addition to the other liability protections in the bill, Assembly Amendment 1 specifies that nothing in the statute imposes a duty on an employer or other person to supervise or exercise control of an individual’s use of an epinephrine auto-injector, if the employer or person reasonably believes that they are acting as an authorized individual under the statute.

The amendment also modifies the definition of an “authorized individual” under the bill, to mean an individual who has successfully completed an anaphylaxis training program, as required under the statute.

BILL HISTORY

On March 13, 2017, Assembly Amendment 1 was offered by Representatives Jacque. On March 15, 2017, the Assembly Committee on Health recommended adoption of the amendment and passage of the bill, as amended, on a vote of Ayes, 11; Noes, 0.

BL:jal