

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1095/1dn  
MDK:jlj:jf

April 29, 1999

Representative Wasserman:

Please review this bill very carefully to make sure it achieves your intent. Note that I made a number of assumptions about how to proceed and, depending on your intent, you may want to make some changes. In particular, please note the following:

1. The bill's definition of "school employe or volunteer" is intended to cover the same individuals who may qualify for immunity under s. 118.29 (2), stats.
2. Instead of allowing a certificate holder to make a prescription order for an epinephrine auto-injector, this bill allows a practitioner such as a physician to make a prescription order that allows a pharmacist to dispense an auto-injector to a certificate holder. I took this approach because it causes less disruption to current law regarding prescription orders. Is this okay?
3. The bill requires DORL to issue a certificate. Is this okay, or should a different agency, such as DPI, issue the certificates? Also note that you may want to structure the bill so that a certificate is not necessary. Note, however, that requiring a certificate is a good way to ensure that a person is competent to use an epinephrine auto-injector. Please let me know if you want to consider any alternatives to requiring a certificate.
4. Like other certificates and licenses issued by DORL, the bill requires a person to pay a fee for a certificate. However, unlike other DORL certificates and licenses, a certificate under the bill does not have to be renewed every 2 years. Is this okay?
5. On a point related to the above item, do you want to require schools to pay the certificate fee on behalf of an employe or volunteer? It may also be possible to redraft the bill so that no fee is required for a certificate. However, this approach would raise the issue of how to pay for DORL's costs in issuing certificates.
6. The bill does not address the issue of payment for epinephrine auto-injectors. Do you want to address this issue? For example, do you want to appropriate money so that schools can purchase the injectors?

Please contact me if you have any redraft instructions or questions.

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