

2003 SENATE BILL 230

AN ACT *to amend* 252.15 (1) (ab) and 252.15 (2) (a) 7. a.; and *to create* 252.15 (1) (er) of the statutes; **relating to:** authorizing an employee of a school district, cooperative educational service agency, charter school, private school, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the Blind and Visually Impaired, or a social worker to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 252.15 (1) (ab) of the statutes is amended to read:
2 252.15 (1) (ab) "Affected person" means an emergency medical technician;_i first
3 responder;_i fire fighter;_i peace officer;_i correctional officer;_i person who is employed

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1 at a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring
2 institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s.
3 938.02 (15p); state patrol officer; jailer or keeper of a jail, or person designated with
4 custodial authority by the jailer or keeper; health care provider; employee of a
5 health care provider or staff member of a state crime laboratory; social worker; or
6 employee of a school district, cooperative educational service agency, charter school,
7 private school, the Wisconsin Educational Services Program for the Deaf and Hard
8 of Hearing, or the Wisconsin Center for the Blind and Visually Impaired.

9 **SECTION 2.** 252.15 (1) (er) of the statutes is created to read:

10 252.15 (1) (er) “Social worker” means an individual who is certified or licensed
11 as a social worker, advanced practice social worker, independent social worker, or
12 clinical social worker under ch. 457.

13 **SECTION 3.** 252.15 (2) (a) 7. a. of the statutes is amended to read:

14 252.15 (2) (a) 7. a. If all of the conditions under subd. 7. ai. to c. are met, an
15 emergency medical technician; first responder; fire fighter; peace officer;
16 correctional officer; person who is employed at a secured correctional facility, as
17 defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02
18 (15g), or a secured group home, as defined in s. 938.02 (15p); state patrol officer;
19 jailer or keeper of a jail, or person designated with custodial authority by the jailer
20 or keeper who, during the course of providing care or services to an individual; or a
21 peace officer, correctional officer, state patrol officer, jailer or keeper of a jail, or
22 person designated with custodial authority by the jailer or keeper who, while
23 searching or arresting an individual or while controlling or transferring an
24 individual in custody; or a health care provider or an employee of a health care
25 provider who, during the course of providing care or treatment to an individual or

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1 handling or processing specimens of body fluids or tissues of an individual; ~~or a staff~~
2 member of a state crime laboratory ~~who~~, during the course of handling or processing
3 specimens of body fluids or tissues of an individual; social worker; or an employee of
4 a school district, cooperative educational service agency, charter school, private
5 school, the Wisconsin Educational Services Program for the Deaf and Hard of
6 Hearing, or the Wisconsin Center for the Blind and Visually Impaired, while
7 performing employment duties involving an individual; who is significantly exposed
8 to the individual may subject the individual's blood to a test or a series of tests for
9 the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV
10 and may receive disclosure of the results.

11

(END)