

2003 Senate Bill 230

Date of enactment: **April 16, 2004**
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2003 WISCONSIN ACT 271

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.

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

SECTION 1. 252.15 (1) (ab) of the statutes is amended to read:

252.15 (1) (ab) "Affected person" means an emergency medical technician; first responder; fire fighter; peace officer; correctional officer; person who is employed at a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p); state patrol officer; jailer or keeper of a jail, or person designated with custodial authority by the jailer or keeper; health care provider; employee of a health care provider or staff member of a state crime laboratory; social worker; or 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, or the Wisconsin Center for the Blind and Visually Impaired.

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

252.15 (1) (er) "Social worker" means an individual who is certified or licensed as a social worker, advanced

practice social worker, independent social worker, or clinical social worker under ch. 457.

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

252.15 (2) (a) 7. a. If all of the conditions under subd. 7. ai. to c. are met, an emergency medical technician; first responder; fire fighter; peace officer; correctional officer; person who is employed at a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p); state patrol officer; jailer or keeper of a jail, or person designated with custodial authority by the jailer or keeper ~~who~~, during the course of providing care or services to an individual; or a peace officer, correctional officer, state patrol officer, jailer or keeper of a jail, or person designated with custodial authority by the jailer or keeper ~~who~~, while searching or arresting an individual or while controlling or transferring an individual in custody; or a health care provider or an employee of a health care provider ~~who~~, during the course of providing care or treatment to an individual or handling or processing specimens of body fluids or tissues of an individual; or a staff member of a state crime laboratory ~~who~~, during the course of handling or processing specimens of body fluids or tissues of an

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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individual; social worker; or 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, or the Wisconsin Center for the Blind and Visually Impaired, while performing employment duties involving an indi-

vidual; who is significantly exposed to the individual may subject the individual's blood to a test or a series of tests for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV and may receive disclosure of the results.
