

Senate Bill 230... 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.

BILL SPONSORS

Introduced by Senators **Roessler**, Lassa and Plale.
 Cosponsored by Representatives Olsen, Gunderson, Hines, Jeskewitz, Kestell, Lothian, Musser, Ott, Owens, Seratti, Stone, Van Roy and Bies.

BILL HISTORY

Senate Bill 230 was introduced and referred to the Committee on Health, Children, Families, Aging and Long Term Care on August 20, 2003. A public hearing and executive session were held on September 4, 2003.

The committee recommended SB 230 for passage on an 8-1 (Carpenter) vote.

LRB ANALYSIS

Current Law:

Under current law, specified persons who meet certain requirements and are significantly exposed (that is, who sustain a contact that carries a potential for transmission of human immunodeficiency virus, the virus that causes acquired immunodeficiency syndrome), are authorized to subject the blood of the individual to whom they were exposed to a test for the presence of human immunodeficiency virus (HIV) and to receive disclosure of the test results. These persons, include, under specified circumstances, emergency medical technicians; first responders; fire fighters; peace officers; correctional officers; persons employed at a secured correctional facility, secured child caring institution, or secured group home; state patrol officers; jailers or keepers of jails; health care providers; employees of health care providers; and staff members of state crime laboratories. The requirements those persons must meet include the use of universal precautions against significant exposure at the time of the significant exposure, certification in writing by a physician that the affected person was significantly exposed, and submittal to a test for the presence of HIV within a specified time period. If previously drawn blood from the individual to whom the person was exposed is unavailable, the person may request a court order requiring the individual to submit to a test; after a hearing, a court may order the testing to proceed.

Proposed Changes:

This bill permits employees 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 social workers who, while performing employment duties involving an individual, are significantly exposed to the individual, to subject the blood of the individual to whom they are exposed to a test for the presence of HIV.

Major Impact:

Senate Bill 230 would add school district employees to the list of professionals who are able to request that a person's blood be tested for HIV if the professional was significantly exposed to that person's blood.

FISCAL EFFECT	<p>Department of Health and Family Services Fiscal Note: State: Indeterminate Local: Indeterminate</p> <p>There are not expected to be a significant number of requests for additional HIV/AIDS tests under this bill. The cost of the HIV antibody screening test at the State Laboratory of Hygiene is \$20. Costs of the test at a private laboratory or hospital could be up to \$50. DHFS is not responsible for these costs.</p> <p>DHFS staff time may be required for consultation and technical assistance to the agencies or providers involved. It is not possible to estimate the amount of staff time involved in this activity. The fiscal effect of this bill is not expected to be significant.</p>
SUPPORT	<p>The following people appeared in favor of this bill: (1) Senator Carol Roessler; (2) Lee Fahrney, Wisconsin School Counselor Association; (3) Cheryl Hartman, Oshkosh Area School District; (4) Linda Stoikes, Oshkosh Area School District; (5) Patricia Yana, Oshkosh Area School District; and (6) Michael Johnson, Self, Milton.</p> <p>The following people registered in favor of this bill: (1) Jennifer Kammerud, Department of Public Instruction, Madison; and (2) Diane Craney, Wisconsin Education Association Council.</p>
OPPOSITION	<p>The following person appeared in opposition to this bill: (1) Bob Schwoch, AIDS Resource Center of WI, Inc.</p> <p>The following person registered against this bill: (1) Gary Radloff, Department of Health and Family Services.</p>
CONTACT	Jennifer Halbur, Carol Roessler, 266-5300
DATE	September 30, 2003

JH
showed CK
6/1/04 -
no response

SB
230

Senator Carol Roessler
Room 8 South
State Capitol
P.O. Box 7882
Madison 53707-7882

Outg
District ...
from
Chicago

May 14, 2004

MAY 24 2004

Dear Senator Roessler:

I am writing concerning the recent legislation, which became law that you initiated for HIV testing for some students in the state of Wisconsin. I feel that the creation of this new legislation, Wisconsin Senate Bill 230 is a flawed piece of legislation. Respectfully this seems to be an overreaction to the incident where the teacher Ms. Cheryl Hartmann was splashed in her eye with some blood of a student who was believed to be at risk for HIV. In the April 28, 2004 edition of Education Week you are quoted as saying that this law is "common sense", and "All were doing is adding teachers and school personnel to existing protocol". (1)

Unfortunately I do not believe this law is common sense. Common sense would be effective training of all teachers how HIV is transmitted and that HIV transmission via a mucous membrane is extremely rare. The nurses employed by the School District of Oshkosh as stated in the HIV/Aids guidelines of the school district of Oshkosh should have communicated this; "Nursing Services will address the control and prevention of disease such as hepatitis B and HIV (virus which causes AIDS)". (2) I read the comment of family nurse practitioner Linda Stoikes in the Oshkosh School District at a hearing with Wisconsin Senators regarding SB 230. She said, "This knowledge may save them from years of testing and the anguish of not knowing when or if they will test positive for some life altering disease", is incorrect. (3) This

statement goes against all government research about HIV. The statistics on HIV/AIDS diagnoses speak for themselves. The CDC shows 1. The rate of seroconversion by exposure to HIV via mucous membranes is extremely rare; the CDC defines it as .09% of 1 %.

2. The window from the time of possible infection to HIV seroconversion is 13 weeks according to over 15 years of research by the Center for Disease Control.

3. The CDC, Morbidity and Mortality Weekly Report has issued specific guidelines for possible exposure to HIV. These include counseling, initiation of anti-HIV drugs immediately, the necessity of following up on the toxicity of these drugs, and the need to test again for HIV and try to determine the HIV status of the source of possible infection. I find it disturbing that the health care department of the Oshkosh School District is disseminating flawed information such as Ms. Stoikes testimony quoted above. (4)

If common sense as you mentioned had prevailed then Ms. Hartmann and all teachers in the District of Oshkosh would know to use the universal precautions of latex gloves and safety goggles if blood is present. Common sense would have dictated that proper education on how HIV is transmitted could have lessened the fears of the teacher if she was aware of the rate of HIV transmission via mucous membrane.

I do think that it is unfortunate that the student and his parents would not volunteer for an HIV test. However in light of what I have read concerning the incident I am skeptical of how the entire situation was handled. It does make me question how the Oshkosh school district handles HIV education with the remarks by Ms. Stoikes. In the case of the teacher how do we know that she

did not come intact with the bodily fluids of her friend with AIDS? Were the parents of her students made aware that she was dealing with the awful tragedy of her friend dying from AIDS? I do not know the answer to that question but I think if they knew the parents and school district had the common sense not to force the teacher to undergo mandatory HIV testing. I would be interested in hearing your thoughts on my concerns.

Sincerely:



David Hubbell

4750 N. Clarendon Apt. 902

Chicago, IL 60640-6624

References:

1. Sack, Joetta L. (2004, April 28).
Some Wisconsin Pupils Face HIV Testing. Education Week, Vol. 23, number 33, page 1,25.
2. Oshkosh Area School District Policy Manual June 29, 1994. , Acquired Immunodeficiency Syndrome/HIV Guidelines. [on-line], Available:
<http://www.oshkosh.k12.wi.us/BoardofEducation/Policies/Series400.htm>
3. Forster Stacy, April 16, 2004. Law Allows Teachers to Demand student HIV Tests. Madison Online. [online], Available:
<http://www.madison.com/toolbox/index.php?action=printme&ref=captimes&storyURL=/captimes/news/stories/56175.php>
4. Center for Disease Control and Prevention, June 29, 2001. Management of Exposure to HIV. page 23 Morbidity and Mortality Weekly Report [on-line], Available:
http://www.ucsf.edu/hivcntr/Clinical_Resources/Guidelines/PDFs/pep.pdf

Halbur, Jennifer

From: Hartwitt [hartwitt@prodigy.net]
Sent: Wednesday, April 28, 2004 1:55 PM
To: Jennifer.Halbur@legis.state.wi.us
Subject: Fwd: Article from Washington DC magazine

Jennifer,

This is the article by the woman I spent 30 minutes talking to. Evidently, it is read by lots of educators all over the country. Obviously, I'm not one of them. Seems like a much fairer assessment that the article by the AP guy.

Cheryl Hartman

Education Week

April 28, 2004

Some Wisconsin Pupils Could Face HIV Testing

By Joetta L. Sack

Wisconsin has enacted what appears to be the nation's first law requiring students to be tested for HIV if teachers or other school employees can prove they were significantly exposed to the students' blood while on the job.

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The law, which critics view as an unwarranted intrusion on privacy, gives employees of Wisconsin public and private schools the same rights as emergency personnel, medical workers, correctional officers, and group-home workers to require blood tests under comparable circumstances.

"It's a sensible protection for the men and women who are responsible for educating our kids, similar to the protections that health-care workers enjoy," said Dan Leistikow, a spokesman for Gov. James E. Doyle, a Democrat, who signed the measure on April 16.

Gov.
James. E.
Doyle

"I think people recognize this is in the interest of public health and protecting teachers."

State Sen. Carol A. Roessler, a Republican and the chief sponsor of the legislation, said it is "common sense" and is not likely to be challenged in court.

"All we're doing is adding teachers and school personnel to existing protocol," she said. "The behaviors of some students can very much so put teachers and other personnel and other students at risk."

Some groups and activists say the law is not needed.

"The extremely low risk of occupational HIV transmission in most professional settings, combined with the burdens associated with compulsory HIV testing make this legislation unnecessary and unreasonable," wrote the AIDS Resource Center of Wisconsin Inc., in a statement opposing the legislation.

Resource-center officials also believe that testing the person who came in contact with the blood is the only foolproof way to determine if a person was infected, added Kate Venne, the group's spokeswoman. She called the new law "a safety net full of holes."

Larry Dupuis, the legal director for the American Civil Liberties Union's Wisconsin office, said his group had also opposed the measure on the grounds of medical privacy. Paul Cates, the director of public education for the ACLU's HIV/AIDS Project, based in New York City, said his office did not know of any other measures that gave school officials such rights.

The main state teachers' union, the Wisconsin Education Association Council, an affiliate of the National Education Association, supported the measure.

Several other education groups, including the Association of Wisconsin School Administrators, the Wisconsin School Boards Association, and the Wisconsin Association of School District Administrators, did not take a position on the bill, according to the Wisconsin Ethics Board, the state's panel that oversees lobbyists and sets ethical codes.

The new law does not cover students who have been exposed to the blood of other students and who want to seek blood tests from those students.

Speaking Out

The momentum for the law began a few years ago, following a classroom incident.

In 2001, a student in Cheryl L. Hartman's special education classroom lost control of his temper and became violent. After he broke a window with a desk, leaving a deep cut in his arm, blood splattered across the room, onto students and desks, and directly into the teacher's eye.

Ms. Hartman, whose best friend had recently died as a result of AIDS, immediately visited her doctor and received the requisite blood tests for HIVthe virus that causes AIDSand for hepatitis.

But she also wanted the student's blood to be tested for HIV, hepatitis, and other illnesses. The parents of the teenager refused. A month later, Ms. Hartman won a court order to force him to submit to a blood test.

Ms. Hartman, who works in a center for emotionally and behaviorally disturbed students in Oshkosh, Wis., did not contract any diseases from the incident. Still, she said, it was an emotional and frustrating experience that prompted her to seek a change in state law.

'Victim's Right'

In particular, she said last week, it was frustrating that teachers, who are often on the front lines when students are injured or violent, were not covered under the existing blood-testing law.

"It was appalling to find out that if I had worked in a group home, I would have been covered, but because I was his teacher, I wasn't," she said.

Worst of all, Ms. Hartman said, she had to speak out, during legislative hearings, against the views of the AIDS resource center that had helped her friend receive treatment.

"I had watched my best friend die of AIDS," she said. "I probably knew more in the school than anybody else about what that meant [when the blood] hit that mucous membrane."

To force a student to be tested under the new law, school employees must meet some significant criteria.

First, they must prove that they had taken precautions to the extent possible, such as using protective gloves or eyewear, against exposure at the time of the contact. They must also produce a letter from a physician stating that they were significantly exposed, and must submit to an HIV test themselves.

Sen. Roessler said the law was designed so that teachers and other school staff members could not force students to be tested without justifiable cause.

"It's a very, very, very serious matter, and of course not to be taken lightly when this request is made," she said. "But it's the victim's right to know if they've been exposed, and what is the nature of that exposure."

Proponents say they expect the law to be used only in rare cases, but argue that it is necessary to have such a measure on the books.

"I'll be amazed if this law gets used three to four times a year," Ms. Hartman said.



HIV law protects teachers, support staff

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Governor Doyle hands a pen to Oshkosh school nurse Linda Stoikes after signing the HIV testing bill. Also joining him are (left to right) Rep. Gregg Underheim; Oshkosh Education Association President Len Herricks; Jennifer Halbur, a legislative staff member in Sen. Carol Roessler's office; Roessler, who was author of the bill; and WEAC President Stan Johnson. Winnebagoland UniServ Council Director Richard Kern is behind Roessler. Others who worked on passage of the bill include Oshkosh teachers Cheryl Hartman and Patti Yana, and Oshkosh School District Human Resources Director John Sprangers.

A bill signed into law in April adds another level of safety for teachers and education support professionals.

The new law allows an education employee to require testing of someone who may have exposed the employee to HIV.

The law requires mandatory testing under very limited circumstances in order to protect the safety of education employees. Emergency workers such as police and first responders already have the right to require such testing.

Governor Jim Doyle signed the bill into law in Oshkosh, home of the teacher who pushed for the law. Cheryl Hartman, a teacher at Oshkosh's Second Chance School for emotionally disturbed students, wanted a student tested for HIV after some of his blood squirted in her eye. It was important for her to know whether she had been exposed to the virus.

The bill was sponsored by Sen. Carol Roessler, of Oshkosh.

Posted April 22, 2004

Milwaukee Journal Sentinel April 17, 2004

Law allows teachers to demand student HIV tests

They can make request if they fear they've been exposed to virus

By **STACY FORSTER**
sforster@journalssentinel.com

Madison — Teachers who have been exposed to a student's blood now have the right to demand the student take a test to determine whether they have the virus that causes AIDS.

Gov. Jim Doyle signed the bill into law Friday in Oshkosh, home of the teacher who led the drive for the law.

The measure allows the state's 100,000 teachers, school administrators and support staff to demand a test if they believe they might have been exposed to HIV, the virus that causes AIDS.

Cheryl Hartman, a teacher at Oshkosh's Second Chance School for emotionally disturbed teens, was trying to calm a student more than three years ago after he broke through a window with his arm.

Moments later, blood spattered in her eye.

Despite rushing to flush out her eye, Hartman knew she might still have been exposed to the virus.

She was surprised to learn she couldn't demand that the student take a test to determine his HIV status. Her story caught the attention of state Sen. Carol Roessler (R-Oshkosh), who sponsored the bill.

People who work in certain fields, such as emergency medical service, health care or corrections, already had the right to ask that another person's blood be tested for HIV if they feared exposure.

Roessler said that it was important to add school personnel to that list because school grounds are much different than they used to be, and educators might have to react quickly to violence.

"When these individuals have to respond and they are exposed to something that could have deadly consequences, they ought to have the right to know what they've been exposed to," Roessler said.

The measure was backed by such groups as the Wisconsin Education Association Council, the Milwaukee Teachers' Education Association and the Milwaukee Public Schools.

In a separate appearance in Green Bay, Doyle signed the so-called Green Tier bill, which provides businesses with greater access to contracts and streamlined regulations if they more fully comply with environmental standards.

The law is intended to fuel the economy and create new jobs, and it was among the last pieces of Doyle's "Grow Wisconsin" plan to boost state employment.

"The only unfinished item is a real, meaningful worker-training bill," Doyle said. Earlier in the week, he vetoed two worker-training measures, which said fell short of what is needed.

Other bills signed by Doyle Friday included legislation that:

- Bans smoking in residence halls on University of Wisconsin campuses.

- Limits disclosure of a doctor's federal Drug Enforcement Administration number.

- Authorizes a hospice nurse to pronounce a patient's death.

- Allows residents at age 14 to receive a sturgeon-fishing license with no other fishing permit required.

- Adds four university building projects to the 2003-'05 building program, including a \$13 million renovation of Taylor Hall at the University of Wisconsin-Oshkosh and a \$40 million University of Wisconsin-Madison business school expansion.

- Requires the Public Service Commission to prepare reports on the impact that proposed laws and state agency rules would have on electric power.

- Limits municipalities that operate cable companies from charging non-subscribers for costs related to maintaining the system.

KFIZ

OSHKOSH SMOKING BAN NOW THE LAW

Oshkosh's new smoking ban is now in effect, meaning you can't light up in restaurants, only bars. That is to say places that realize more than 70% of their annual income from alcohol sales. Meanwhile, Citizens for Freedom of Choice, or a group like it, that wanted to leave the decision up to individual restaurants, may try to put another referendum on the ballot in November.

Roessler Bills Signed

During a bill signing ceremony at the U-W Oshkosh Friday Governor Doyle signed several bills authored by State Senator Carol Roessler. One of the bills supports the Taylor Hall renovation project. Another adds employees of a school district and other educational facilities to the list of people who currently can require that the blood of individuals to whom they were significantly exposed, be tested to determine the presence of the HIV and Aids virus. Another simply clarifies that if you are 14 years or older you need a license for the sturgeon spearing season.

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Law allows teachers to demand student HIV tests

They can make request if they fear they've been exposed to virus

By STACY FORSTER
sforster@journalsentinel.com

Posted: April 16, 2004

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She was surprised to learn she couldn't demand that the student take a test to determine his HIV status. Her story caught the attention of state Sen. Carol Roessler (R-Oshkosh), who sponsored the bill.

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Teachers can force student HIV tests

*Capital Times*By The Associated Press
April 17, 2004

Wisconsin teachers can now force students to submit to HIV tests if they think they have had contact with a student's blood, under legislation Gov. Jim Doyle signed Friday.

The law is the first of its kind in the country to specifically list school district employees in the same class as emergency workers such as police and first responders who, in many states, can make people take blood tests if they think they have been exposed to contaminated blood, according to the National Conference of State Legislatures.

Simon Davies, director of Privacy International, called the law "a wild exaggeration" of HIV fears.

"It's appalling. It's an absolute breach of medical privacy," Davies said.

The law would allow teachers to discriminate against gay students, he said. A teacher could force a gay student to take a test before a straight student, he said.

"My first reaction was it can play to the worst ignorance and bigotry of people," Davies said.

But state Sen. Carol Roessler, R-Oshkosh, who introduced the bill, countered that a person's right to know if they're infected with a deadly pathogen outweighs everything.

"These are life and death situations," Roessler said. "The victim's safety must prevail."

Roessler introduced the measure after a student at an Oshkosh alternative school cut his hand on a window and splattered blood in teacher Cheryl Hartman's eye in October 2001.

Some students at the school have drug problems, said Bob Geigle, director of pupil services for the Oshkosh Area School District. Hartman asked the student to submit to a blood test, but the student's parents refused, Geigle said.

Hartman eventually had to get a court order for the test and eventually tested negative. She didn't return a message The Associated Press left at her home Friday. Geigle said she was in Florida for spring break.

He said the law is a necessary precaution for teachers, who too often face violence or emergencies.

"They are front line personnel, so to speak," Geigle said. "They're as likely as first responders to come into contact with someone who is HIV infected."

Wisconsin law allows emergency personnel such as firefighters, police and correctional officers to force someone to submit to a blood test for HIV if the emergency worker is significantly exposed to that person's blood.

But there are caveats. Exposed people must have taken precautions against exposure, must get a doctor's written proof that they were significantly exposed and must have an HIV test themselves before they can force someone to take a test.

The legislation Doyle signed specifically adds employees in a school district and social workers to the existing law. They are subject to the same criteria as other emergency workers, Roessler said.

Davies said the circumstances in which a teacher might be infected with HIV from a student's blood are so "exceptional, they're almost nonexistent" and said the law is a "wild exaggeration" of fears about HIV.

Linda Hodge, president of the National Parent-Teachers Association, said the association doesn't support any state mandates forcing students to take blood tests. Parents should make that decision, she said.

Roessler countered that the right to know if you've been infected with a deadly disease outweighs everything else.

"To these people exposed, it matters greatly," Roessler said. "One shouldn't have to go through a court order to do this."

She said she knows of at least one other case in Oshkosh in which a teacher opened a student's locker and was stuck by a needle, but couldn't cite any other cases in Wisconsin.

Hodge said the law compromises everyone's rights.

"The concern is we're making a law for all parents and all children based on what seems to be individual circumstances," Hodge said. "The courts were created for individual circumstances."

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SB
230**Halbur, Jennifer**

From: Hartwitt [hartwitt@prodigy.net]
Sent: Wednesday, April 28, 2004 1:55 PM
To: Jennifer.Halbur@legis.state.wi.us
Subject: Fwd: Article from Washington DC magazine

Jennifer,

This is the article by the woman I spent 30 minutes talking to. Evidently, it is read by lots of educators all over the country. Obviously, I'm not one of them. Seems like a much fairer assessment that the article by the AP guy.

Cheryl Hartman

Education Week

April 28, 2004

Some Wisconsin Pupils Could Face HIV Testing

By Joetta L. Sack

Wisconsin has enacted what appears to be the nation's first law requiring students to be tested for HIV if teachers or other school employees can prove they were significantly exposed to the students' blood while on the job.

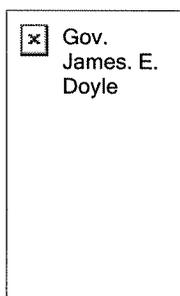
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"I think people recognize this is in the interest of public health and protecting teachers."

State Sen. Carol A. Roessler, a Republican and the chief sponsor of the legislation, said it is "common sense" and is not likely to be challenged in court.

"All we're doing is adding teachers and school personnel to existing protocol," she said. "The behaviors of some students can very much so put teachers and other personnel and other students at risk."

Some groups and activists say the law is not needed.

"The extremely low risk of occupational HIV transmission in most professional settings, combined with the burdens associated with compulsory HIV testing make this legislation unnecessary and unreasonable," wrote the AIDS Resource Center of Wisconsin Inc., in a statement opposing the legislation.

Resource-center officials also believe that testing the person who came in contact with the blood is the only foolproof way to determine if a person was infected, added Kate Venne, the group's spokeswoman. She called the new law "a safety net full of holes."

Larry Dupuis, the legal director for the American Civil Liberties Union's Wisconsin office, said his group had also opposed the measure on the grounds of medical privacy. Paul Cates, the director of public education for the ACLU's HIV/AIDS Project, based in New York City, said his office did not know of any other measures that gave school officials such rights.

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Speaking Out

The momentum for the law began a few years ago, following a classroom incident.

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Ms. Hartman, whose best friend had recently died as a result of AIDS, immediately visited her doctor and received the requisite blood tests for HIVthe virus that causes AIDSand for hepatitis.

But she also wanted the student's blood to be tested for HIV, hepatitis, and other illnesses. The parents of the teenager refused. A month later, Ms. Hartman won a court order to force him to submit to a blood test.

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'Victim's Right'

In particular, she said last week, it was frustrating that teachers, who are often on the front lines when students are injured or violent, were not covered under the existing blood-testing law.

"It was appalling to find out that if I had worked in a group home, I would have been covered, but because I was his teacher, I wasn't," she said.

Worst of all, Ms. Hartman said, she had to speak out, during legislative hearings, against the views of the AIDS resource center that had helped her friend receive treatment.

"I had watched my best friend die of AIDS," she said. "I probably knew more in the school than anybody else about what that meant [when the blood] hit that mucous membrane."

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Sen. Roessler said the law was designed so that teachers and other school staff members could not force students to be tested without justifiable cause.

"It's a very, very, very serious matter, and of course not to be taken lightly when this request is made," she said. "But it's the victim's right to know if they've been exposed, and what is the nature of that exposure."

Proponents say they expect the law to be used only in rare cases, but argue that it is necessary to have such a measure on the books.

"I'll be amazed if this law gets used three to four times a year," Ms. Hartman said.



Carol Roessler
STATE SENATOR

SB
230

March 24, 2004

Governor Jim Doyle
115 East State Capitol
Madison, WI 53702

Dear Governor Doyle,

I strongly encourage you to sign Senate Bill 230, relating to a school district to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome.

Senate Bill 230 is a natural extension of current law. This bill does not create a new process for testing. Rather, **it simply adds employees of a school district** to the list of other professionals that can currently require that the blood of an individual, **to whom they were significantly exposed**, be tested for the presence of HIV.

It is important to acknowledge that extending to employees of a school district the right to have an individual's blood tested for the presence of HIV, does not change the requirements that must be fulfilled prior to such a request. Those requirements include:

- **The use of universal precautions against a significant exposure at the time of the significant exposure.**
- **Certification in writing by a physician that the affected person was significantly exposed.**
- **Submittal to a test, by the person who was significantly exposed, for the presence of HIV within a specified time period.**

Clearly, the ability for employees of a school district and individuals currently allowed to require testing, is limited. A student who falls playing basketball, cuts his or her knee and gets a minimal amount of blood on a teacher's hand while applying bandages, is not the type of exposure current law or the bill addresses. This bill does not change the fact that a person **must be significantly exposed, as determined by a physician.**

The March 17, 2004 Milwaukee Journal Sentinel article entitled, "Bill would let educators demand HIV test," indicates that you have not made a decision about whether

or not you will sign SB 230. If you still have concerns about this bill, I respectfully request a meeting with you before you take action on this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol". The signature is written in a cursive, flowing style.

CAROL ROESSLER
State Senator
18th Senate District

CR:/jhs\DOCS\Jennifer3-24-04 hiv testing to gov..doc

SB 230

Dear Carol,
SB 230

Throughout the process, I listened to you recognize us for our efforts. None of

This would have

happened, however, without your efforts and talent. Watching

you in action, reinforced my impression of you as

a skilled politician and a caring person. On behalf of all educators - thank you.

John Springer

APR 21 2004

Mr. Bill JTK
CR-

Halbur, Jennifer

SB 230

From: Kurtz, Hunter
Sent: Tuesday, March 23, 2004 11:03 AM
To: Halbur, Jennifer

Patrick Guarasci calling about SB 230
261-6788

Returned my call to Katie.

Gov. in China.

He needs to review SB 230 before deciding to sign.

* Ask Laura Rose - who pays for.

CR call or letter to Gov.