

## Halbur, Jennifer

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**From:** Hartwitt [hartwitt@prodigy.net]  
**Sent:** Wednesday, January 21, 2004 5:28 AM  
**To:** Jennifer.Halbur@legis.state.wi.us  
**Subject:** SB 230 & the Oshkosh Northwestern

Jennifer,

Thanks for calling back yesterday. I guess telling the paper I had no desire to talk to them any further if they did nothing to clear up the misinformation in the letter to the editor about the bill, which I faxed to Wade, actually worked. My rebuttal is in the paper this morning with headlines as big as the erroneous ones that accompanied the first letter. I will let everyone on our panel know we will be testifying on Feb 17 in the morning so we can make arrangements for subs. I appreciate being able to call the Senator's office when things like this letter come up. I hope she knows how much the help I have been given by her and her staff mean to me. I am truly not a political animal, so yesterday I was scrambling trying to figure out how to get the truth out. Wade was quite helpful and supportive. Just let me know as soon as you have a time that we need to be there so we can start squabbling about what time we need to leave Oshkosh.

Thank you,

Cheryl Hartman

Posted Jan. 09, 2004

## Letters: HIV/AIDS student records access bill shows bias

I find it quite ironic that in December, the month chosen by the United Nations to house World AIDS Day, the Wisconsin State Legislature is discussing a bill that would enable teachers to access the HIV records of students in the state.

What these lawmakers are failing to see is that although teaching is a noble profession, it is no less free of bias. By allowing teachers to access HIV records of youth, it adds yet another undue burden upon these youths to face possible bigotry and bias they already face in and outside of school.

Much still needs to be done in the realms of HIV/AIDS education. Many people, including educators, still believe that HIV/AIDS is the "gay plague," that by coming in contact with someone who is HIV/AIDS positive, they themselves can contract the disease without exposure to body fluids, or that the infected person obtained the disease by living an immoral lifestyle of promiscuity or drug use.

The State Legislature should help these youths by passing legislation that boosts HIV/AIDS education and more strongly mandating proper procedure for blood-borne pathogen handling to all staff and faculty. Such unnecessary disclosure of this information is tantamount to raping the privacy rights of youth already burdened with fighting the stigma surrounding HIV/AIDS.

@TX N Letters name, town: Andy Sampson **Oshkosh**

SB230

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## Oshkosh Weather



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## LOCAL NEWS

Posted Dec. 30, 2003

## HIV bill aims to protect teachers

School employees could gain access to HIV test results

By **Bethany K. Warner**  
of *The Northwestern*

Teachers and other school personnel may soon be able to access HIV test results of people involved in in-school incidents that result in a school district employee's exposure to the person's blood or other bodily fluids.

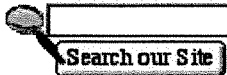
A bill sponsored by Oshkosh lawmakers Sen. Carol Roessler, R-Oshkosh, and Rep. Gregg Underheim, R-Oshkosh, allows teachers to require that the testing be done on the individual who may have exposed them to the virus. As it now stands, school employees must gain access to test results in court.

If the bill becomes law -- which Roessler and Underheim are confident will happen -- social workers and school employees will join the list of health-care providers, law enforcement officials and emergency first responders who already have access to such test results.

"It's not right for them to have to pursue this in court when they've been exposed to something that could have life-threatening results," Roessler said.

Impetus for the bill came directly from a 2000 incident in the Oshkosh schools in which Second Chance teacher Cheryl Hartman was exposed to a student's blood. Rather than having immediate access to the student's HIV test results, Hartman had to wait through a month-long court proceeding.

"To me the shock was to find out that this whole group of people are covered by a law and that teachers weren't part of



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Underheim and Hartman both said the provision that would cover teachers would rarely be used, and should not raise privacy concerns for students.

"It's sort of a balancing act," Underheim said. "If someone has come in contact with a potentially deadly virus, there are now drugs available that can halt the progress of that virus if administered quickly enough. When you have a question of health issues, I think the balance has to swing in favor of the person who's potentially affected."

Still, the AIDS Resource Center of Wisconsin, a statewide advocacy agency for AIDS prevention and services for those infected with the virus, has concerns about the bill.

"This bill is trying to put the onus on the other person," said Kate Venne, communications manager for the agency. "It's needless worry on the other person's part. We'd rather that person go in and get tested than just assume that the other person needs to do it."

Having seen the disease first-hand, Hartman argues that information and testing for possible infection needs to be done quickly.

"It seemed, morally, that it needed to be done. Teachers are professional enough to decide if they need to be tested," she said.

The bill passed the Senate in early October and is expected to come before the Assembly's Health Committee in mid-February before moving to the whole Assembly for a vote.

Bethany K. Warner: (920) 426-6668 or  
bwarner@thenorthwestern.com.

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# Local

Tuesday, December 30, 2003

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Campaign stop: Howard Dean pays a visit to Green Bay

Oshkosh Northwestern

Handwritten note: "faster article on other side"

## NEWS IN BRIEF

### Police await driver's words on fatal crash

FOND DU LAC - Authorities are hoping to find out later this week why a car driven by a 19-year-old Neenah man crossed Highway 41 Christmas Eve, resulting in a head-on traffic accident that resulted in four deaths.

The driver, David M. Cupriss Jr., remains in an induced coma at Thecla Clark Medical Center in Neenah. He is expected to survive the

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BY BETHANY K. WARNER  
of The Northwestern

*School employees could gain access to HIV test results*

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ROESSLER



UNDERHEIM

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BILL, PAGE C2

## Options

### PROPERTY TAXES DUE TO CLAIM INCOME TAX DEDUCTION

## Plowing could eat

# Passed Senate in October

FROM PAGE C1

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Still, the AIDS Resource Center of Wisconsin, a statewide advocacy agency for AIDS prevention and services for those infected with the virus, has concerns about the bill.

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*Bethany K. Warner: (920) 426-6668  
or [bwarner@thenorthwestern.com](mailto:bwarner@thenorthwestern.com).*

## Halbur, Jennifer

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**From:** Asbjornson, Karen  
**Sent:** Thursday, January 15, 2004 1:00 PM  
**To:** Seaquist, Sara; Kurtz, Hunter; Halbur, Jennifer  
**Subject:** FW: update

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

**From:** Fischer, Kevin  
**Sent:** Thursday, January 15, 2004 12:18 PM  
**To:** Asbjornson, Karen  
**Subject:** update

27 stations took feed on booster seat bill.

20 stations took feed on HIV bill.



Posted Jan. 09, 2004

SB 230

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@TX N Letters name, town: Andy Sampson **Oshkosh**

1-10-04 KFIZ

AIDS TESTING

State Senator Carol Roessler is pushing a bill that would afford school personnel and social workers more protection from HIV. Roessler says the bill is the outgrowth of an incident involving a woman who was teaching at an alternative school program for volatile youth in the Oshkosh area. During an altercation the teacher came into contact with the blood of a student. Roessler says the woman launched a legal battle to have the student tested for AIDS. Under the bill already approved by the Senate, school personnel and social workers would be put on a list of people who can require a person be tested for H-I-V if they are exposed to that person's blood. The list already includes E-M-Ts, corrections officers and others.

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Posted Dec. 30, 2003



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Posted Jan. 02, 2004

## Bill pushes to open HIV test results

Oshkosh lawmakers want to add teachers to group with such access

**By Bethany K. Warner**

*Gannett Wisconsin Newspapers*

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**Carol Roessler**  
STATE SENATOR

November 12, 2003

Speaker John Gard  
211 West State Capitol  
Madison, WI 53705

Dear ~~Speaker Gard,~~ *John*

I am the lead author of Senate Bill 230, relating to authorizing an employee of a school district and others to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome.

The Senate passed this bill 30-3 on October 1, 2003. This bill has yet to be referred to an Assembly Committee. This is a priority bill and I would like it to continue to move forward. **I request that Senate Bill 230 be referred to the appropriate Assembly Committee without further delay.**

Current state statutes do not provide recourse for school district employees to subject a person's blood, to whom they have been significantly exposed, to a test to determine the presence of human immunodeficiency virus. State statutes do, however, provide a right to require testing to several other professionals including: EMT's, First Responders, employees of health care providers, employees of a secured group home, etc.

Given the increase of violence in schools, this bill makes sense. Teachers and other employees of a school district should be able to take every precaution necessary to ensure he or she has not been infected with HIV after a significant exposure to another person's blood.

Thank you in advance for your attention to this matter. )

Sincerely,

CAROL ROESSLER

State Senator 18th Senate District

CR:/jhs\DOCS\Jennifer\2003-05 legislation\11-12-03 sb 230 hiv to gard.doc

CC: Representative Steve Foti  
Senator Mary Panzer



Milwaukee Journal Sentinel October 2, 2003

# Bill would allow more HIV tests

By STEVEN WALTERS  
swalters@journal sentinel.com

**Madison** — The state Senate voted Wednesday to add teachers, school district employees and social workers to the list of medical and emergency personnel who can have blood they come in contact with on the job tested for HIV.

Senators who pushed the bill said more professionals should be able to require that blood be tested to avoid the trauma of not knowing whether they had been exposed to HIV, the virus that causes AIDS.

Sen. Carol Roessler (R-Oshkosh) said an Oshkosh teacher came into contact with the blood of a violent student who had smashed furniture and who later had to be sent to a state juvenile facility. The teacher had to confront the student, but then she suffered in agonizing silence because she could not have the student's blood tested, Roessler said.

In other incidents, teachers

## Teachers have right to know, some say

and social workers "just can't get to the (plastic) gloves quick enough," Roessler said. "Exposure is exposure — period. This is a 'right to know' bill."

But Sen. Tim Carpenter (D-Milwaukee) said the bill went too far because it would give frightening new rights to invade someone's privacy to a "very broad" new category of professionals.

"We're boldly going where no one has gone before," Carpenter said. He warned that the change, if approved, could be used disproportionately against minorities.

Under the bill, teachers, school district workers, private school workers, charter school employees, social workers and employees of the state schools for the blind and deaf could have someone's blood tested for HIV.

The bill would add those professionals to the list of workers who now have that right — a list that includes

firefighters, police officers, emergency medical technicians, prison guards and health care professionals.

The bill, passed 30-3, was sent to the state Assembly.

In other action Tuesday:

**Newspaper recycling rule cut:** The Senate passed, 26-7, a bill lowering the current requirement that Wisconsin newspaper publishers use 40% recycled newsprint. The bill, which was sent to the governor, would permanently set the industry standard at 33%.

Republican Sen. Dale Schultz of Richland Center said the current 40% rule is putting Wisconsin jobs in recycling facilities at risk because many newspaper publishers cannot meet that standard.

Wisconsin newspapers have been steadily increasing their use of recycled newsprint, Schultz said. "We have tried to make recycling work."

But Democratic Sen. Fred Risser of Madison said the recycled newsprint standard was already lowered in 1997, so the 33% standard would give the industry yet another break.

"This bill goes backward," Risser complained.

**12-year-old bear hunters:** On a 32-1 vote, the Senate passed a bill giving the bear hunters lucky enough to win permits the right to transfer them to minors between the ages of 12 and 17 who have completed a gun safety course.

Schultz said veteran bear hunters should be able to transfer their permits to their children, grandchildren and friends to make sure the next generation learns how to track and hunt them safely.

Last year, 58,519 applied for bear hunting permits but only 4,832 residents and 136 non-residents got them, according to the Legislative Fiscal Bureau.

The bill was sent to the governor.

SB 230