



TODAY 6/4

State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1673/3
DAK:kjf:rw

2007 BILL

Only change is
p. 31

Regen

1 AN ACT *to repeal* 146.185 (title), 146.185 (1) (intro.), 146.19 (title), 146.50 (1)

2 (hm), 146.50 (1) (m), 146.53 (1) (intro.), 146.53 (1) (a), 146.53 (1) (c), 146.53 (1)

3 (e), 146.53 (1) (f), 146.55 (1) (b), 146.55 (1) (d), 146.55 (1) (e), 146.55 (1) (f), 251.06

4 (1m) and 254.59 (4); *to renumber* 146.185 (1) (a) to (e), 146.185 (1) (f), 146.185

5 (1) (g), 146.185 (1) (h), 146.185 (1) (i), 146.185 (2) to (4), 146.19 (1) (intro.),

6 146.19 (1) (a), 146.19 (1) (b), 146.19 (1) (c), 146.19 (1) (d), 146.19 (2), 146.301,

7 146.50 (title), 146.50 (1) (intro.), 146.50 (1) (ag), 146.50 (1) (am), 146.50 (1) (c),

8 146.50 (1) (cr), 146.50 (1) (d), 146.50 (1) (dm), 146.50 (1) (e), 146.50 (1) (f), 146.50

9 (1) (g), 146.50 (1) (h), 146.50 (1) (hr), 146.50 (1) (i), 146.50 (1) (ig), 146.50 (1) (im),

10 146.50 (1) (j), 146.50 (1) (k), 146.50 (1) (L), 146.50 (1) (n), 146.50 (1) (p), 146.50

11 (2) to (4), 146.50 (5) (title), 146.50 (5) (c) to (f), 146.50 (6) (title), 146.50 (6) (a)

12 1. to 4., 146.50 (6) (b) 2., 146.50 (6) (c) 2., 146.50 (6g) (title), 146.50 (6g) (b),

13 146.50 (6n), 146.50 (8) (title), 146.50 (8) (b) 1. to 3., 146.50 (8) (d) and (e), 146.50

14 (8) (g), 146.50 (8m), 146.50 (9), 146.50 (10) to (11) (d), 146.50 (11) (f) to (13),

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1 146.51 (title), 146.51 (1) (intro.), 146.51 (1m) to (3), 146.52 (title), 146.52 (1)
2 (intro.), 146.52 (1m) to (5), 146.53 (title), 146.53 (1) (b), 146.53 (2) and (3), 146.53
3 (5) (intro.) and (a), 146.53 (5) (c) to (k), 146.55 (title), 146.55 (2) and (2m), 146.55
4 (4) (title), 146.55 (4) (b), 146.55 (4) (c), 146.55 (5) (title), 146.55 (5) (b), 146.55
5 (6) (title), 146.55 (6) (b), 146.55 (8), 146.56, 146.57 (title), 146.57 (1m) (intro.),
6 146.57 (1m) (a) (intro.), 146.57 (1m) (a) 2. to (4), 146.58 (title), 146.58 (intro.) to
7 (6), 146.58 (8), 146.70 (title), 146.70 (1) to (2) (a), 146.70 (2) (c) to (3m) (c), 146.70
8 (3m) (d) (title), 146.70 (3m) (d) 1e. to (11) and 146.995; **to renumber and**
9 **amend** 146.19 (4), 146.50 (5) (a), 146.50 (5) (b), 146.50 (5) (g), 146.50 (6) (a)
10 (intro.), 146.50 (6) (b) 1., 146.50 (6) (c) (intro.), 146.50 (6) (c) 1., 146.50 (6g) (a),
11 146.50 (7), 146.50 (8) (a), 146.50 (8) (b) (intro.), 146.50 (8) (c), 146.50 (8) (f),
12 146.50 (11) (e), 146.51 (1) (a), 146.51 (1) (b), 146.51 (1) (c), 146.52 (1) (a), 146.52
13 (1) (b), 146.52 (1) (c), 146.53 (1) (d), 146.53 (4), 146.53 (5) (b), 146.55 (1) (a),
14 146.55 (4) (a), 146.55 (5) (a), 146.55 (6) (a), 146.55 (7), 146.57 (1m) (a) 1., 146.58
15 (7), 146.70 (2) (b) and 251.06 (3) (e); **to consolidate, renumber and amend**
16 146.55 (1) (intro.) and (g); **to amend** 16.25 (1) (am), 20.155 (3) (q), 20.435 (1)
17 (gm), 20.435 (5) (ch), 20.435 (5) (ds), 20.435 (5) (kb), 20.435 (5) (ke), 21.72 (1) (a)
18 4., 25.98, 36.27 (3m) (a) 1g., 38.04 (9), 38.24 (5) (a) 1j., 48.685 (1) (ag) 2., 49.857
19 (1) (d) 4., 50.065 (1) (ag) 2., 66.0314 (1) (b), 66.0608 (1) (a), 66.0608 (1) (d),
20 73.0301 (1) (d) 3., 77.51 (4) (b) 8., 77.51 (15) (b) 7., 77.54 (37), 85.12 (2), 85.32,
21 102.07 (7) (b), 118.29 (1) (c), 146.37 (1) (a), 146.37 (1) (b), 146.37 (1g), 146.38 (1)
22 (b), 146.38 (1) (c), 146.38 (5), 146.82 (1), 146.82 (2) (a) 2. (intro.), 146.997 (1) (d)
23 14., 154.17 (3), 154.17 (3m), 165.25 (6) (c), 165.85 (4) (b) 1d. e., 171.30 (6),
24 196.207 (3) (a), 233.04 (10), 250.01 (intro.), 251.05 (1) (a), 251.05 (1) (b), 251.05
25 (1) (c), 251.05 (3) (c), 252.14 (1) (ar) 13., 252.15 (1) (af), 254.01 (2), 254.59 (2),

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1 254.59 (5), 255.06 (3), 340.01 (3) (dm) 2., 343.23 (2) (a) 1., 343.23 (2) (a) 3., 440.98
2 (3), 440.9805 (1), 893.82 (2) (d) 1r., 895.35 (2) (a) 2., 895.46 (5) (b), 895.48 (1m)
3 (a) (intro.), 905.04 (4) (h), 940.20 (7) (a) 1e., 940.20 (7) (a) 2g., 940.20 (7) (a) 2m.,
4 941.20 (1m) (a) 1., 941.20 (1m) (a) 2., 941.20 (1m) (a) 3., 941.37 (1) (a), 941.37
5 (1) (c), 941.375 (1) (a) and 941.375 (1) (b); **to repeal and recreate** 254.59 (1);
6 and **to create** 250.20, 251.01 (8), 251.06 (3) (e) 1., 251.06 (3) (e) 2., 251.06 (3)
7 (e) 3., 251.07, 254.59 (3), 254.59 (3m), 254.59 (7), 254.59 (8) and chapter 256 of
8 the statutes; **relating to:** abatement or removal of human health hazards,
9 requirements for certain local health officers, personnel of a local health
10 department, state agency status for certain physicians, community health
11 improvement plans, emergency medical services, requiring the exercise of
12 rule-making authority, and providing penalties.

Analysis by the Legislative Reference Bureau

Human health hazard abatement or removal

Under current law, if a local health officer finds a human health hazard on private premises, he or she must notify the owner or occupant by registered mail and order the abatement or removal within 30 days; if the owner or occupant fails to comply, the local health officer may enter the premises and abate or remove the hazard or contract to have the work performed. A human health hazard is defined as a substance, activity, or condition that is known to have the potential to cause acute or chronic illness or death if exposure to the substance, activity, or condition is not abated. The cost of abatement or removal by the local health officer may be recovered from the person who has permitted the hazard to exist or may be levied as a special tax on the land, and anyone maintaining a human health hazard may be fined not more than \$300 or imprisoned for not more than 90 days or both. Similarly, in cities under general charter, a local health officer may enter into and examine any place at any time to ascertain health conditions; anyone refusing entrance at reasonable hours must be fined. For abatement or removal of a human health hazard, the local health officer must serve at least a 24-hour notice to the owner or occupant. A first class city may follow these provisions or the provisions of its charter.

This bill revises and consolidates provisions relating to abatement and removal of human health hazards. The bill changes the definition of a human health hazard to be a substance, activity, or condition that is known to have the potential to cause

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acute or chronic illness, to endanger life, to generate or spread infectious diseases, or otherwise injuriously to affect the health of the public. The bill authorizes a local health officer who is refused entry by the owner or occupant of a property or premises for which the local health officer has received a complaint or has probable cause to believe a human health hazard exists to seek a special inspection warrant or, if a suspected human health hazard poses an immediate threat, to enter the property or premises without consent or a special inspection warrant. For a human health hazard that is found, the local health officer must notify the owner or occupant and order abatement or removal within a reasonable time period, not to exceed 30 days. If the owner or occupant fails to comply with the order within the time period and if the nature of this human health hazard does not pose an immediate threat, the local health officer shall abate or remove the hazard or contract to have that done or shall report the failure to comply to the attorney for the applicable city, town, village, or county, who may initiate court action to abate. For a human health hazard that is found and that poses an immediate threat to the health of an individual or the public, however, the local health officer must make a good-faith effort to notify the owner or occupant, confirm the notice by personal service or by mail to the owner's or occupant's last-known address, and must summarily abate or remove the hazard. A county, city, village, or town with a local health department may enact an ordinance concerning abatement or removal of a human health hazard that is at least as restrictive as the statutory provisions and that may be enforced in the county, city, village, or town that enacted it.

The bill eliminates provisions concerning authority of a local health officer to abate or remove a human health hazard in a city with a general charter. Lastly, the bill changes a penalty for maintenance of a human health hazard that requires abatement or removal to a fine of not more than \$1,000 or imprisonment for not more than 90 days or both.

Requirements for certain local health officers

Current law specifies numerous qualification requirements for local health officers of Levels I, II, and III local health departments. However, current law also specifies that, in a county with a county human services department, the local health officer need not meet the qualification requirements if that county human services department employs at least one individual who meets those requirements.

This bill eliminates the exception to qualification requirements for a local health officer if the applicable county has a county department of human services that employs an individual who meets the requirements. The change first applies to local health officers hired on the effective date of the bill as an act.

Personnel of a local health department

Under current law, a local health officer must appoint all necessary subordinate personnel. This bill clarifies that "subordinate personnel" that local health officers must appoint may include public health educators, nutritionists, and dental hygienists who meet specified qualification requirements.

State agency status for certain physicians

Under current law, for a person with status as a state agent of the Department of Health and Family Services (DHFS), the attorney general may, if requested by the

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secretary of health and family services, appear and defend the person in any civil action or other matter brought before a court as the result of an act committed in the lawful course of the agent's duties. In addition, a civil action or civil proceeding against a state agent for medical malpractice allegedly committed in the course of the discharge of the agent's duties may not be brought unless the claimant serves on the attorney general written notice within 180 days after discovery of the injury or the date on which, in the exercise of reasonable diligence, the injury should have been discovered. Lastly, total judgments may not exceed \$250,000 and may not include punitive damages; judgments in excess of any insurance coverage applicable to the state agent defendant must be paid by the state; and a governmental unit need not provide or pay for legal representation if applicable insurance coverage provides the representation.

This bill accords physicians, who are not employees of a local health department but who provide services, without compensation, for those programs and services provided by a local health department that require medical oversight, status as state agents of DHFS for the provision of the services that the physicians provide for the local health department.

Community health improvement plans

Currently, local health departments must, among other things, involve policymakers and the public in determining a set of priority public health services and assure access to these services to every member of the community.

This bill modifies this requirement to require the local health department to involve policymakers and the public in development of a community health improvement plan that includes actions to implement certain services and functions.

Other

The bill creates a new chapter of the statutes and renumbers numerous public health provisions relating to emergency medical services into this chapter. The bill renumbers provisions concerning minority health and cooperative American Indian health services into the statutory chapter relating to administration and supervision of health; and renumbers provisions concerning the statewide poison control system and the reporting of wounds and burn injuries into the statutory chapter relating to chronic disease and injuries.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 16.25 (1) (am) of the statutes is amended to read:

BILL**SECTION 1**

1 16.25 (1) (am) "First responder" means an individual certified under s. 146.50
2 ~~(8) 256.15 (8) (a).~~

3 **SECTION 2.** 20.155 (3) (q) of the statutes is amended to read:

4 20.155 (3) (q) *General program operations and grants.* From the wireless 911
5 fund, all moneys received under s. 146.70 ~~256.35~~ (3m) (f) 1. to administer and make
6 grants under s. 146.70 ~~256.35~~ (3m) (d) and supplemental grants under s. 146.70
7 ~~256.35~~ (3m) (e).

8 **SECTION 3.** 20.435 (1) (gm) of the statutes is amended to read:

9 20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and*
10 *services.* The amounts in the schedule for the purposes specified in ss. 146.50 ~~(8)~~,
11 252.23, 252.24, 252.245, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to
12 254.39, 254.41, 254.47, 254.61 to 254.88, ~~and 255.08 (2), and 256.15 (8)~~ and ch. 69,
13 for the purchase and distribution of medical supplies and to analyze and provide data
14 under s. 250.04. All moneys received under ss. 146.50 ~~(5) (f) and (8) (d)~~, 250.04 (3m),
15 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.181, 254.20 (5) and
16 (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, ~~and 255.08 (2) (b), and 256.15~~
17 ~~(5) (f) and (8) (d)~~ and ch. 69, other than s. 69.22 (1m), and as reimbursement for
18 medical supplies shall be credited to this appropriation account.

19 **SECTION 4.** 20.435 (5) (ch) of the statutes is amended to read:

20 20.435 (5) (ch) *Emergency medical services; aids.* The amounts in the schedule
21 for emergency medical technician — basic training and examination aid under s.
22 ~~146.55 256.12~~ (5) and for ambulance service vehicles or vehicle equipment,
23 emergency medical services supplies or equipment or emergency medical training
24 for personnel under s. 146.55 ~~256.12~~ (4).

25 **SECTION 5.** 20.435 (5) (ds) of the statutes is amended to read:

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1 20.435 (5) (ds) *Statewide poison control program*. The amounts in the schedule
2 to supplement the operation of a statewide poison control program under s. 146.57
3 255.35 (3) and for the statewide collection and reporting of poison control data.

4 **SECTION 6.** 20.435 (5) (kb) of the statutes is amended to read:

5 20.435 (5) (kb) *Minority health*. The amounts in the schedule for the minority
6 health program under s. 146.185 250.20 (3) and (4). All moneys transferred from the
7 appropriation account under s. 20.505 (8) (hm) 6e. shall be credited to this
8 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on
9 June 30 of each year shall revert to the appropriation account under s. 20.505 (8)
10 (hm).

11 **SECTION 7.** 20.435 (5) (ke) of the statutes is amended to read:

12 20.435 (5) (ke) *Cooperative American Indian health projects*. The amounts in
13 the schedule for grants for cooperative American Indian health projects under s.
14 ~~146.19~~ 250.20 (5). All moneys transferred from the appropriation account under s.
15 20.505 (8) (hm) 18b. shall be credited to this appropriation account.
16 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
17 shall revert to the appropriation account under s. 20.505 (8) (hm).

18 **SECTION 8.** 21.72 (1) (a) 4. of the statutes is amended to read:

19 21.72 (1) (a) 4. A license, certificate of approval, provisional license, conditional
20 license, certification, certification card, registration, permit, training permit, or
21 approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), ~~146.50 (5) (a)~~
22 ~~or (b), (6g) (a), (7), or (8) (a) or (f),~~ 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
23 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), 256.15 (5) (a) or
24 (b), (6g) (a), (7), or (8) (a) or (f), or 343.305 (6) (a) or a permit for the operation of a
25 campground specified in s. 254.47 (1).

BILL**SECTION 9**

1 **SECTION 9.** 25.98 of the statutes is amended to read:

2 **25.98 Wireless 911 fund.** There is established a separate nonlapsible trust
3 fund designated as the wireless 911 fund, consisting of deposits by the public service
4 commission under s. ~~146.70~~ 256.35 (3m) (f) 1.

5 **SECTION 10.** 36.27 (3m) (a) 1g. of the statutes is amended to read:

6 36.27 **(3m)** (a) 1g. "Emergency medical services technician" means an
7 individual under s. ~~146.50 (1) (e), (f), (g), (h) or (hm)~~ 256.01 (5) or (9).

8 **SECTION 11.** 38.04 (9) of the statutes is amended to read:

9 **38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS.** In order to promote safety to
10 life and property, the board may establish and supervise training programs in fire
11 prevention and protection. The programs shall include training in responding to acts
12 of terrorism, as defined in s. ~~146.50~~ 256.15 (1) (ag), and shall be available to members
13 of volunteer and paid fire departments maintained by public and private agencies,
14 including industrial plants. No training program required for participation in
15 structural fire fighting that is offered to members of volunteer and paid fire
16 departments maintained by public agencies may require more than 60 hours of
17 training.

18 **SECTION 12.** 38.24 (5) (a) 1j. of the statutes is amended to read:

19 38.24 **(5)** (a) 1j. "Emergency medical services technician" means an individual
20 under s. ~~146.50 (1) (e), (f), (g), (h) or (hm)~~ 256.01 (5) or (9).

21 **SECTION 13.** 48.685 (1) (ag) 2. of the statutes is amended to read:

22 48.685 **(1)** (ag) 2. "Caregiver" does not include a person who is certified as an
23 emergency medical technician under s. ~~146.50~~ 256.15 if the person is employed, or
24 seeking employment, as an emergency medical technician and does not include a

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1 person who is certified as a first responder under s. ~~146.50~~ 256.15 if the person is
2 employed, or seeking employment, as a first responder.

3 **SECTION 14.** 49.857 (1) (d) 4. of the statutes is amended to read:

4 49.857 (1) (d) 4. A certification, license, training permit, registration, approval
5 or certificate issued under s. 49.45 (2) (a) 11., ~~146.50 (5) (a) or (b), (6g) (a) or (8) (a),~~
6 252.23 (2), 252.24 (2), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47
7 (1), 254.64 (1) (a) or (b), 254.71 (2) ~~or~~, 255.08 (2), or 256.15 (5) (a) or (b), (6g) (a), or
8 (8) (a).

9 **SECTION 15.** 50.065 (1) (ag) 2. of the statutes is amended to read:

10 50.065 (1) (ag) 2. "Caregiver" does not include a person who is certified as an
11 emergency medical technician under s. ~~146.50~~ 256.15 if the person is employed, or
12 seeking employment, as an emergency medical technician and does not include a
13 person who is certified as a first responder under s. ~~146.50~~ 256.15 if the person is
14 employed, or seeking employment, as a first responder.

15 **SECTION 16.** 66.0314 (1) (b) of the statutes is amended to read:

16 66.0314 (1) (b) "Emergency medical services program" means a program
17 established under s. ~~146.55~~ 256.12.

18 **SECTION 17.** 66.0608 (1) (a) of the statutes is amended to read:

19 66.0608 (1) (a) "Emergency medical technician" has the meaning given in s.
20 ~~146.50 (1) (e)~~ 256.01 (5).

21 **SECTION 18.** 66.0608 (1) (d) of the statutes is amended to read:

22 66.0608 (1) (d) "First responder" has the meaning given in s. ~~146.53 (1) (d)~~
23 256.01 (9).

24 **SECTION 19.** 73.0301 (1) (d) 3. of the statutes is amended to read:

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1 73.0301 (1) (d) 3. A license, certificate of approval, provisional license,
2 conditional license, certification, certification card, registration, permit, training
3 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)
4 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3) or (3m), ~~146.50 (5) (a) or (b), (6g) (a), (7) or~~
5 ~~(8) (a) or (f), 252.23 (2), 252.24 (2), 254.176, 254.20 (3), 255.08 (2) (a), 256.15 (5) (a)~~
6 ~~or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit for operation of a~~
7 campground specified in s. 254.47 (1).

8 **SECTION 20.** 77.51 (4) (b) 8. of the statutes is amended to read:

9 77.51 (4) (b) 8. The surcharge established in rules of the public service
10 commission under s. ~~146.70~~ 256.35 (3m) (f) for customers of wireless providers, as
11 defined in s. ~~146.70~~ 256.35 (3m) (a) 6.

12 **SECTION 21.** 77.51 (15) (b) 7. of the statutes is amended to read:

13 77.51 (15) (b) 7. The surcharge established in rules of the public service
14 commission under s. ~~146.70~~ 256.35 (3m) (f) for customers of wireless providers, as
15 defined in s. ~~146.70~~ 256.35 (3m) (a) 6.

16 **SECTION 22.** 77.54 (37) of the statutes is amended to read:

17 77.54 (37) The gross receipts from revenues collected under s. ~~146.70~~ 256.35
18 (3).

19 **SECTION 23.** 85.12 (2) of the statutes is amended to read:

20 85.12 (2) The department shall maintain any existing communications
21 equipment at state patrol towers and stations that is used by emergency medical
22 services programs under s. ~~146.55~~ 256.12 unless the cost of maintaining the
23 equipment exceeds the benefits that will result from such maintenance.

24 **SECTION 24.** 85.32 of the statutes is amended to read:

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1 **85.32 Statewide trauma care system transfer.** Beginning July 1, 2000,
2 and annually thereafter, the secretary shall transfer \$80,000 from the appropriation
3 under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes
4 of the statewide trauma care system under s. ~~146.56~~ 256.25.

5 **SECTION 25.** 102.07 (7) (b) of the statutes is amended to read:

6 102.07 (7) (b) The department may issue an order under s. 102.31 (1) (b)
7 permitting the county within which a volunteer fire company or fire department
8 organized under ch. 213, a legally organized rescue squad, an ambulance service
9 provider, as defined in s. ~~146.50 (1) (e)~~ 256.01 (3), or a legally organized diving team
10 is organized to assume full liability for the compensation provided under this chapter
11 of all volunteer members of that company, department, squad, provider or team.

12 **SECTION 26.** 118.29 (1) (c) of the statutes is amended to read:

13 118.29 (1) (c) "Health care professional" means a person licensed as an
14 emergency medical technician under s. ~~146.50~~ 256.15, a person certified as a first
15 responder under s. ~~146.50~~ 256.15 (8) or any person licensed, certified, permitted or
16 registered under chs. 441 or 446 to 449.

17 **SECTION 27.** 146.185 (title) of the statutes is repealed.

18 **SECTION 28.** 146.185 (1) (intro.) of the statutes is repealed.

19 **SECTION 29.** 146.185 (1) (a) to (e) of the statutes are renumbered 250.20 (1) (a)
20 to (e).

21 **SECTION 30.** 146.185 (1) (f) of the statutes is renumbered 250.20 (1) (g).

22 **SECTION 31.** 146.185 (1) (g) of the statutes is renumbered 250.20 (1) (h).

23 **SECTION 32.** 146.185 (1) (h) of the statutes is renumbered 250.20 (1) (j).

24 **SECTION 33.** 146.185 (1) (i) of the statutes is renumbered 250.20 (1) (k).

25 **SECTION 34.** 146.185 (2) to (4) of the statutes are renumbered 250.20 (2) to (4).

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1 **SECTION 35.** 146.19 (title) of the statutes is repealed.

2 **SECTION 36.** 146.19 (1) (intro.) of the statutes is renumbered 250.20 (1) (intro.).

3 **SECTION 37.** 146.19 (1) (a) of the statutes is renumbered 250.20 (1) (f).

4 **SECTION 38.** 146.19 (1) (b) of the statutes is renumbered 250.20 (1) (i).

5 **SECTION 39.** 146.19 (1) (c) of the statutes is renumbered 250.20 (1) (L).

6 **SECTION 40.** 146.19 (1) (d) of the statutes is renumbered 250.20 (1) (m).

7 **SECTION 41.** 146.19 (2) of the statutes is renumbered 250.20 (5).

8 **SECTION 42.** 146.19 (4) of the statutes is renumbered 250.20 (6) and amended
9 to read:

10 **250.20 (6) LIMITATION; MATCHING FUNDS.** A grant awarded under sub. ~~(2)~~ (5) may
11 not exceed 50% of the cost of the cooperative American Indian health project.
12 Participants in a funded project, as specified in sub. ~~(2)~~ (5) (a), may use in-kind
13 contributions to provide part or all of the required match.

14 **SECTION 43.** 146.301 of the statutes is renumbered 256.30.

15 **SECTION 44.** 146.37 (1) (a) of the statutes is amended to read:

16 146.37 (1) (a) "Health care provider" includes an ambulance service provider,
17 as defined in s. ~~146.50 (1) (e)~~ 256.01 (3), and an emergency medical technician, as
18 defined in s. ~~146.50 (1) (e)~~ 256.01 (5), and a first responder, as defined in s. ~~146.50~~
19 ~~(1) (hm)~~ 256.01 (9).

20 **SECTION 45.** 146.37 (1) (b) of the statutes is amended to read:

21 146.37 (1) (b) "Medical director" has the meaning specified in s. ~~146.50 (1) (j)~~
22 256.01 (11).

23 **SECTION 46.** 146.37 (1g) of the statutes is amended to read:

24 146.37 (**1g**) Except as provided in s. 153.85, no person acting in good faith who
25 participates in the review or evaluation of the services of health care providers or

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1 facilities or the charges for such services conducted in connection with any program
2 organized and operated to help improve the quality of health care, to avoid improper
3 utilization of the services of health care providers or facilities or to determine the
4 reasonable charges for such services, or who participates in the obtaining of health
5 care information under ch. 153, is liable for any civil damages as a result of any act
6 or omission by such person in the course of such review or evaluation. Acts and
7 omissions to which this subsection applies include, but are not limited to, acts or
8 omissions by peer review committees or hospital governing bodies in censuring,
9 reprimanding, limiting or revoking hospital staff privileges or notifying the medical
10 examining board or podiatrists affiliated credentialing board under s. 50.36 or taking
11 any other disciplinary action against a health care provider or facility and acts or
12 omissions by a medical director, ~~as defined in s. 146.50 (1) (j)~~, in reviewing the
13 performance of emergency medical technicians or ambulance service providers.

14 **SECTION 47.** 146.38 (1) (b) of the statutes is amended to read:

15 146.38 (1) (b) "Health care provider" includes an ambulance service provider,
16 as defined in s. ~~146.50 (1) (e)~~ 256.01 (3), an emergency medical technician, as defined
17 in s. ~~146.50 (1) (e)~~ 256.01 (5), and a first responder, as defined in s. ~~146.50 (1) (hm)~~
18 256.01 (9).

19 **SECTION 48.** 146.38 (1) (c) of the statutes is amended to read:

20 146.38 (1) (c) "Medical director" has the meaning specified in s. ~~146.50 (1) (j)~~
21 256.01 (11).

22 **SECTION 49.** 146.38 (5) of the statutes is amended to read:

23 146.38 (5) This section does not apply to s. ~~146.56~~ 256.25.

24 **SECTION 50.** 146.50 (title) of the statutes is renumbered 256.15 (title).

25 **SECTION 51.** 146.50 (1) (intro.) of the statutes is renumbered 256.15 (1) (intro.).

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- 1 **SECTION 52.** 146.50 (1) (ag) of the statutes is renumbered 256.15 (1) (ag).
- 2 **SECTION 53.** 146.50 (1) (am) of the statutes is renumbered 256.01 (1).
- 3 **SECTION 54.** 146.50 (1) (c) of the statutes is renumbered 256.01 (3).
- 4 **SECTION 55.** 146.50 (1) (cr) of the statutes is renumbered 256.15 (1) (cr).
- 5 **SECTION 56.** 146.50 (1) (d) of the statutes is renumbered 256.15 (1) (d).
- 6 **SECTION 57.** 146.50 (1) (dm) of the statutes is renumbered 256.15 (1) (dm).
- 7 **SECTION 58.** 146.50 (1) (e) of the statutes is renumbered 256.01 (5).
- 8 **SECTION 59.** 146.50 (1) (f) of the statutes is renumbered 256.01 (6).
- 9 **SECTION 60.** 146.50 (1) (g) of the statutes is renumbered 256.01 (7).
- 10 **SECTION 61.** 146.50 (1) (h) of the statutes is renumbered 256.01 (8).
- 11 **SECTION 62.** 146.50 (1) (hm) of the statutes is repealed.
- 12 **SECTION 63.** 146.50 (1) (hr) of the statutes is renumbered 256.15 (1) (hr).
- 13 **SECTION 64.** 146.50 (1) (i) of the statutes is renumbered 256.15 (1) (i).
- 14 **SECTION 65.** 146.50 (1) (ig) of the statutes is renumbered 256.15 (1) (ig).
- 15 **SECTION 66.** 146.50 (1) (im) of the statutes is renumbered 256.15 (1) (im).
- 16 **SECTION 67.** 146.50 (1) (j) of the statutes is renumbered 256.01 (11).
- 17 **SECTION 68.** 146.50 (1) (k) of the statutes is renumbered 256.01 (12).
- 18 **SECTION 69.** 146.50 (1) (L) of the statutes is renumbered 256.15 (1) (L).
- 19 **SECTION 70.** 146.50 (1) (m) of the statutes is repealed.
- 20 **SECTION 71.** 146.50 (1) (n) of the statutes is renumbered 256.15 (1) (n).
- 21 **SECTION 72.** 146.50 (1) (p) of the statutes is renumbered 256.15 (1) (p).
- 22 **SECTION 73.** 146.50 (2) to (4) of the statutes are renumbered 256.15 (2) to (4).
- 23 **SECTION 74.** 146.50 (5) (title) of the statutes is renumbered 256.15 (5) (title).
- 24 **SECTION 75.** 146.50 (5) (a) of the statutes is renumbered 256.15 (5) (a) and
- 25 amended to read:

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1 256.15 (5) (a) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
2 the department shall license qualified applicants as ambulance service providers or
3 emergency medical technicians. The department shall, from the information on the
4 certification form specified under sub. (6) (c) 2., establish in each ambulance service
5 provider's biennial license the primary service or contract area of the ambulance
6 service provider.

7 **SECTION 76.** 146.50 (5) (b) of the statutes is renumbered 256.15 (5) (b) and
8 amended to read:

9 256.15 (5) (b) The department shall promulgate rules establishing a system
10 and qualifications for issuance of training permits, except as provided in ss. ~~146.51~~
11 ~~and 146.52~~ 256.17 and 256.18, and specifying the period for which an individual may
12 hold a training permit.

13 **SECTION 77.** 146.50 (5) (c) to (f) of the statutes are renumbered 256.15 (5) (c)
14 to (f).

15 **SECTION 78.** 146.50 (5) (g) of the statutes is renumbered 256.15 (5) (g) and
16 amended to read:

17 256.15 (5) (g) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
18 an emergency medical technician license shall be issued to the individual licensed,
19 and the department may not impose a requirement that an individual be affiliated
20 with an ambulance service provider in order to receive an emergency medical
21 technician license or to have an emergency medical technician license renewed.

22 **SECTION 79.** 146.50 (6) (title) of the statutes is renumbered 256.15 (6) (title).

23 **SECTION 80.** 146.50 (6) (a) (intro.) of the statutes is renumbered 256.15 (6) (a)
24 (intro.) and amended to read:

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1 256.15 (6) (a) (intro.) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and
2 256.18, to be eligible for an initial license as an emergency medical technician, an
3 individual shall:

4 **SECTION 81.** 146.50 (6) (a) 1. to 4. of the statutes are renumbered 256.15 (6) (a)
5 1. to 4.

6 **SECTION 82.** 146.50 (6) (b) 1. of the statutes is renumbered 256.15 (6) (b) 1. and
7 amended to read:

8 256.15 (6) (b) 1. Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
9 to be eligible for a renewal of a license as an emergency medical technician, the
10 licensee shall, in addition to meeting the requirements of par. (a) 1., complete the
11 training, education or examination requirements specified in rules promulgated
12 under subd. 2.

13 **SECTION 83.** 146.50 (6) (b) 2. of the statutes is renumbered 256.15 (6) (b) 2.

14 **SECTION 84.** 146.50 (6) (c) (intro.) of the statutes is renumbered 256.15 (6) (c)
15 (intro.) and amended to read:

16 256.15 (6) (c) (intro.) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and
17 256.18, to be eligible for a license as an ambulance service provider, an individual
18 shall be 18 years of age or older and have such additional qualifications as may be
19 established in rules promulgated by the department, except that no ambulance
20 service provider may be required to take training or an examination or receive
21 education to qualify for licensure or for renewal of licensure. An ambulance service
22 provider shall, as a condition of licensure, provide medical malpractice insurance
23 sufficient to protect all emergency medical technicians who perform for
24 compensation as employees of the ambulance service provider. For renewal of a

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1 biennial license as an ambulance service provider, an applicant shall also provide all
2 of the following:

3 **SECTION 85.** 146.50 (6) (c) 1. of the statutes is renumbered 256.15 (6) (c) 1. and
4 amended to read:

5 256.15 (6) (c) 1. A financial report, on a form developed and provided by the
6 department, of all expenditures made in the 2 previous fiscal years from all funds
7 provided to the ambulance service provider under s. ~~146.55~~ 256.12 (4).

8 **SECTION 86.** 146.50 (6) (c) 2. of the statutes is renumbered 256.15 (6) (c) 2.

9 **SECTION 87.** 146.50 (6g) (title) of the statutes is renumbered 256.15 (6g) (title).

10 **SECTION 88.** 146.50 (6g) (a) of the statutes is renumbered 256.15 (6g) (a) and
11 amended to read:

12 256.15 (6g) (a) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
13 the department shall certify qualified applicants for the performance of
14 defibrillation, under certification standards that the department shall promulgate
15 as rules.

16 **SECTION 89.** 146.50 (6g) (b) of the statutes is renumbered 256.15 (6g) (b).

17 **SECTION 90.** 146.50 (6n) of the statutes is renumbered 256.15 (6n).

18 **SECTION 91.** 146.50 (7) of the statutes is renumbered 256.15 (7) and amended
19 to read:

20 256.15 (7) LICENSING IN OTHER JURISDICTIONS. Except as provided in ss. ~~146.51~~
21 ~~and 146.52~~ 256.17 and 256.18, the department may issue a license as an emergency
22 medical technician, without examination, to any individual who holds a current
23 license or certificate as an emergency medical technician from another jurisdiction
24 if the department finds that the standards for licensing or issuing certificates in the

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1 other jurisdiction are at least substantially equivalent to those in this state, and that
2 the applicant is otherwise qualified.

3 **SECTION 92.** 146.50 (8) (title) of the statutes is renumbered 256.15 (8) (title).

4 **SECTION 93.** 146.50 (8) (a) of the statutes is renumbered 256.15 (8) (a) and
5 amended to read:

6 256.15 (8) (a) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
7 the department shall certify qualified applicants as first responders.

8 **SECTION 94.** 146.50 (8) (b) (intro.) of the statutes is renumbered 256.15 (8) (b)
9 (intro.) and amended to read:

10 256.15 (8) (b) (intro.) To be eligible for initial certification as a first responder,
11 except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18, an individual shall
12 meet all of the following requirements:

13 **SECTION 95.** 146.50 (8) (b) 1. to 3. of the statutes are renumbered 256.15 (8) (b)
14 1. to 3.

15 **SECTION 96.** 146.50 (8) (c) of the statutes is renumbered 256.15 (8) (c) and
16 amended to read:

17 256.15 (8) (c) To be eligible for a renewal of a certificate as a first responder,
18 except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18, the holder of the
19 certificate shall satisfactorily complete a first responder refresher course that meets
20 or exceeds the guidelines issued by the National Highway Traffic Safety
21 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
22 acts of terrorism, and that is approved by the department.

23 **SECTION 97.** 146.50 (8) (d) and (e) of the statutes are renumbered 256.15 (8) (d)
24 and (e).

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1 **SECTION 98.** 146.50 (8) (f) of the statutes is renumbered 256.15 (8) (f) and
2 amended to read:

3 256.15 (8) (f) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
4 the department may issue a certificate as a first responder, without requiring
5 satisfactory completion of any instruction or training that may be required under
6 par. (b), to any individual who holds a current license or certificate as a first
7 responder from another jurisdiction if the department finds that the standards for
8 licensing or issuing certificates in the other jurisdiction are at least substantially
9 equivalent to the standards for issuance of certificates for first responders in this
10 state, and that the applicant is otherwise qualified.

11 **SECTION 99.** 146.50 (8) (g) of the statutes is renumbered 256.15 (8) (g).

12 **SECTION 100.** 146.50 (8m) of the statutes is renumbered 256.15 (8m).

13 **SECTION 101.** 146.50 (9) of the statutes is renumbered 256.15 (9).

14 **SECTION 102.** 146.50 (10) to (11) (d) of the statutes are renumbered 256.15 (10)
15 to (11) (d).

16 **SECTION 103.** 146.50 (11) (e) of the statutes is renumbered 256.15 (11) (e) and
17 amended to read:

18 256.15 (11) (e) To restrain or prevent the establishment, management or
19 operation of an ambulance service, ~~as defined in s. 146.55 (1) (a)~~, in violation of sub.
20 (4).

21 **SECTION 104.** 146.50 (11) (f) to (13) of the statutes are renumbered 256.15 (11)
22 (f) to (13).

23 **SECTION 105.** 146.51 (title) of the statutes is renumbered 256.17 (title).

24 **SECTION 106.** 146.51 (1) (intro.) of the statutes is renumbered 256.17 (1)
25 (intro.).

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1 **SECTION 107.** 146.51 (1) (a) of the statutes is renumbered 256.17 (1) (a) and
2 amended to read:

3 256.17 (1) (a) A license under s. ~~146.50~~ 256.15 (5) (a).

4 **SECTION 108.** 146.51 (1) (b) of the statutes is renumbered 256.17 (1) (b) and
5 amended to read:

6 256.17 (1) (b) A training permit under s. ~~146.50~~ 256.15 (5) (b).

7 **SECTION 109.** 146.51 (1) (c) of the statutes is renumbered 256.17 (1) (c) and
8 amended to read:

9 256.17 (1) (c) A certification under s. ~~146.50~~ 256.15 (6g) (a) or (8) (a).

10 **SECTION 110.** 146.51 (1m) to (3) of the statutes are renumbered 256.17 (1m) to
11 (3).

12 **SECTION 111.** 146.52 (title) of the statutes is renumbered 256.18 (title).

13 **SECTION 112.** 146.52 (1) (intro.) of the statutes is renumbered 256.18 (1)
14 (intro.).

15 **SECTION 113.** 146.52 (1) (a) of the statutes is renumbered 256.18 (1) (a) and
16 amended to read:

17 256.18 (1) (a) A license under s. ~~146.50~~ 256.15 (5) (a) or (7).

18 **SECTION 114.** 146.52 (1) (b) of the statutes is renumbered 256.18 (1) (b) and
19 amended to read:

20 256.18 (1) (b) A training permit under s. ~~146.50~~ 256.15 (5) (b).

21 **SECTION 115.** 146.52 (1) (c) of the statutes is renumbered 256.18 (1) (c) and
22 amended to read:

23 256.18 (1) (c) A certificate under s. ~~146.50~~ 256.15 (6g) (a) or (8) (a) or (f).

24 **SECTION 116.** 146.52 (1m) to (5) of the statutes are renumbered 256.18 (1m) to
25 (5).

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1 **SECTION 117.** 146.53 (title) of the statutes is renumbered 256.08 (title).

2 **SECTION 118.** 146.53 (1) (intro.) of the statutes is repealed.

3 **SECTION 119.** 146.53 (1) (a) of the statutes is repealed.

4 **SECTION 120.** 146.53 (1) (b) of the statutes is renumbered 256.01 (4).

5 **SECTION 121.** 146.53 (1) (c) of the statutes is repealed.

6 **SECTION 122.** 146.53 (1) (d) of the statutes is renumbered 256.01 (9) and
7 amended to read:

8 256.01 (9) "First responder" means a person who is certified by the department
9 as a first responder under s. 256.15 (8) (a) and who, as a condition of employment or
10 as a member of an organization that provides emergency medical care before
11 hospitalization, provides emergency medical care to a sick, disabled or injured
12 individual before the arrival of an ambulance, but who does not provide
13 transportation for a patient.

14 **SECTION 123.** 146.53 (1) (e) of the statutes is repealed.

15 **SECTION 124.** 146.53 (1) (f) of the statutes is repealed.

16 **SECTION 125.** 146.53 (2) and (3) of the statutes are renumbered 256.08 (1) and
17 (2).

18 **SECTION 126.** 146.53 (4) of the statutes is renumbered 256.08 (3) and amended
19 to read:

20 256.08 (3) DEPARTMENTAL RULES; CONSULTATION. The department shall consult
21 with the board before promulgating a proposed rule that relates to funding of
22 emergency medical services programs under s. ~~146.55~~ 256.12 or to regulation of
23 emergency medical services.

24 **SECTION 127.** 146.53 (5) (intro.) and (a) of the statutes are renumbered 256.08
25 (4) (intro.) and (a).

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1 **SECTION 128.** 146.53 (5) (b) of the statutes is renumbered 256.08 (4) (b) and
2 amended to read:

3 256.08 (4) (b) Implement measures to achieve objectives that are set forth in
4 the state emergency medical services plan under sub. ~~(2)~~ (1).

5 **SECTION 129.** 146.53 (5) (c) to (k) of the statutes are renumbered 256.08 (4) (c)
6 to (k).

7 **SECTION 130.** 146.55 (title) of the statutes is renumbered 256.12 (title).

8 **SECTION 131.** 146.55 (1) (intro.) and (g) of the statutes are consolidated,
9 renumbered 256.12 (1) and amended to read:

10 256.12 (1) ~~DEFINITIONS~~ DEFINITION. In this section: ~~(g) "Public, "public agency"~~
11 has the meaning given in s. ~~146.50~~ 256.15 (1) (n).

12 **SECTION 132.** 146.55 (1) (a) of the statutes is renumbered 256.01 (2) and
13 amended to read:

14 256.01 (2) "Ambulance service" means the business of transporting sick,
15 disabled, or injured individuals by ambulance, ~~as defined in s. 146.50 (1) (am),~~ to or
16 from facilities or institutions providing health services.

17 **SECTION 133.** 146.55 (1) (b) of the statutes is repealed.

18 **SECTION 134.** 146.55 (1) (d) of the statutes is repealed.

19 **SECTION 135.** 146.55 (1) (e) of the statutes is repealed.

20 **SECTION 136.** 146.55 (1) (f) of the statutes is repealed.

21 **SECTION 137.** 146.55 (2) and (2m) of the statutes are renumbered 256.12 (2) and
22 (2m).

23 **SECTION 138.** 146.55 (4) (title) of the statutes is renumbered 256.12 (4) (title).

24 **SECTION 139.** 146.55 (4) (a) of the statutes is renumbered 256.12 (4) (a) and
25 amended to read:

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1 256.12 (4) (a) From the appropriation under s. 20.435 (5) (ch), the department
2 shall annually distribute funds for ambulance service vehicles or vehicle equipment,
3 emergency medical services supplies or equipment or emergency medical training
4 for personnel to an ambulance service provider that is a public agency, a volunteer
5 fire department or a nonprofit corporation, under a funding formula consisting of an
6 identical base amount for each ambulance service provider plus a supplemental
7 amount based on the population of the ambulance service provider's primary service
8 or contract area, as established under s. ~~146.50~~ 256.15 (5).

9 **SECTION 140.** 146.55 (4) (b) of the statutes is renumbered 256.12 (4) (b).

10 **SECTION 141.** 146.55 (4) (c) of the statutes is renumbered 256.12 (4) (c).

11 **SECTION 142.** 146.55 (5) (title) of the statutes is renumbered 256.12 (5) (title).

12 **SECTION 143.** 146.55 (5) (a) of the statutes is renumbered 256.12 (5) (a) and
13 amended to read:

14 256.12 (5) (a) From the appropriation under s. 20.435 (5) (ch), the department
15 shall annually distribute funds to ambulance service providers that are public
16 agencies, volunteer fire departments, or nonprofit corporations to purchase the
17 training required for licensure and renewal of licensure as an emergency medical
18 technician - basic under s. ~~146.50~~ 256.15 (6), and to pay for administration of the
19 examination required for licensure or renewal of licensure as an emergency medical
20 technician - basic under s. ~~146.50~~ 256.15 (6) (a) 3. and (b) 1.

21 **SECTION 144.** 146.55 (5) (b) of the statutes is renumbered 256.12 (5) (b).

22 **SECTION 145.** 146.55 (6) (title) of the statutes is renumbered 256.12 (6) (title).

23 **SECTION 146.** 146.55 (6) (a) of the statutes is renumbered 256.12 (6) (a) and
24 amended to read:

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1 256.12 (6) (a) In this subsection, "person" has the meaning specified in s. 146.50
2 256.15 (1) (L).

3 **SECTION 147.** 146.55 (6) (b) of the statutes is renumbered 256.12 (6) (b).

4 **SECTION 148.** 146.55 (7) of the statutes is renumbered 256.12 (7) and amended
5 to read:

6 256.12 (7) INSURANCE. A physician who participates in an emergency medical
7 services program under this section or as required under s. 146.50 256.15 shall
8 purchase health care liability insurance in compliance with subch. III of ch. 655,
9 except for those acts or omissions of a physician who, as a medical director, reviews
10 the performance of emergency medical technicians or ambulance service providers,
11 as specified under s. 146.37 (1g).

12 **SECTION 149.** 146.55 (8) of the statutes is renumbered 256.12 (8).

13 **SECTION 150.** 146.56 of the statutes is renumbered 256.25.

14 **SECTION 151.** 146.57 (title) of the statutes is renumbered 255.35 (title).

15 **SECTION 152.** 146.57 (1m) (intro.) of the statutes is renumbered 255.35 (1m)
16 (intro.).

17 **SECTION 153.** 146.57 (1m) (a) (intro.) of the statutes is renumbered 255.35 (1m)
18 (a) (intro.).

19 **SECTION 154.** 146.57 (1m) (a) 1. of the statutes is renumbered 255.35 (1m) (a)
20 1. and amended to read:

21 255.35 (1m) (a) 1. Licensure as an emergency medical technician - basic,
22 emergency medical technician - intermediate or emergency medical technician -
23 paramedic under s. 146.50 256.15 (5) (a).

24 **SECTION 155.** 146.57 (1m) (a) 2. to (4) of the statutes are renumbered 255.35
25 (1m) (a) 2. to (4).

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1 **SECTION 156.** 146.58 (title) of the statutes is renumbered 256.04 (title).

2 **SECTION 157.** 146.58 (intro.) to (6) of the statutes are renumbered 256.04
3 (intro.) to (6).

4 **SECTION 158.** 146.58 (7) of the statutes is renumbered 256.04 (7) and amended
5 to read:

6 256.04 (7) Advise, make recommendations to, and consult with the department
7 concerning the funding under s. ~~146.55~~ 256.12 (4) and (5), including recommending
8 a formula for allocating funds among ambulance service providers under s. ~~146.55~~
9 256.12 (5).

10 **SECTION 159.** 146.58 (8) of the statutes is renumbered 256.04 (8).

11 **SECTION 160.** 146.70 (title) of the statutes is renumbered 256.35 (title).

12 **SECTION 161.** 146.70 (1) to (2) (a) of the statutes are renumbered 256.35 (1) to
13 (2) (a).

14 **SECTION 162.** 146.70 (2) (b) of the statutes is renumbered 256.35 (2) (b) and
15 amended to read:

16 256.35 (2) (b) Every basic or sophisticated system established under this
17 section shall be capable of transmitting requests for law enforcement, fire fighting
18 and emergency medical and ambulance services to the public safety agencies
19 providing such services. Such system may provide for transmittal of requests for
20 poison control to the appropriate regional poison control center under s. ~~146.57~~
21 255.35, suicide prevention and civil defense services and may be capable of
22 transmitting requests to ambulance services provided by private corporations. If
23 any agency of the state which provides law enforcement, fire fighting, emergency
24 medical or ambulance services is located within the boundaries of a basic or

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1 sophisticated system established under this section, such system shall be capable of
2 transmitting requests for the services of such agency to the agency.

3 **SECTION 163.** 146.70 (2) (c) to (3m) (c) of the statutes are renumbered 256.35
4 (2) (c) to (3m) (c).

5 **SECTION 164.** 146.70 (3m) (d) (title) of the statutes is renumbered 256.35 (3m)
6 (d) (title).

7 **SECTION 165.** 146.70 (3m) (d) 1e. to (11) of the statutes are renumbered 256.35
8 (3m) (d) 1e. to (11).

9 **SECTION 166.** 146.82 (1) of the statutes is amended to read:

10 146.82 (1) CONFIDENTIALITY. All patient health care records shall remain
11 confidential. Patient health care records may be released only to the persons
12 designated in this section or to other persons with the informed consent of the patient
13 or of a person authorized by the patient. This subsection does not prohibit reports
14 made in compliance with s. ~~146.995~~, 253.12 (2), 255.40, or 979.01; testimony
15 authorized under s. 905.04 (4) (h); or releases made for purposes of health care
16 operations, as defined in 45 CFR 164.501, and as authorized under 45 CFR 164,
17 subpart E.

18 **SECTION 167.** 146.82 (2) (a) 2. (intro.) of the statutes is amended to read:

19 146.82 (2) (a) 2. (intro.) To the extent that performance of their duties requires
20 access to the records, to a health care provider or any person acting under the
21 supervision of a health care provider or to a person licensed under s. ~~146.50~~ 256.15,
22 including medical staff members, employees or persons serving in training programs
23 or participating in volunteer programs and affiliated with the health care provider,
24 if any of the following is applicable:

25 **SECTION 168.** 146.995 of the statutes is renumbered 255.40.

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1 **SECTION 169.** 146.997 (1) (d) 14. of the statutes is amended to read:

2 146.997 (1) (d) 14. An emergency medical technician licensed under s. ~~146.50~~
3 256.15 (5) or a first responder.

4 **SECTION 170.** 154.17 (3) of the statutes is amended to read:

5 154.17 (3) "Emergency medical technician" has the meaning given under s.
6 ~~146.50 (1) (e)~~ 256.01 (5).

7 **SECTION 171.** 154.17 (3m) of the statutes is amended to read:

8 154.17 (3m) "First responder" has the meaning given under s. ~~146.53 (1) (d)~~
9 256.01 (9).

10 **SECTION 172.** 165.25 (6) (c) of the statutes is amended to read:

11 165.25 (6) (c) Physicians under s. 251.07 or 252.04 (9) (b) are covered by this
12 section and shall be considered agents of the department of health and family
13 services for purposes of determining which agency head may request the attorney
14 general to appear and defend them.

15 **SECTION 173.** 165.85 (4) (b) 1d. e. of the statutes is amended to read:

16 165.85 (4) (b) 1d. e. Training on responding to an act of terrorism, as defined
17 in s. ~~146.50~~ 256.15 (1) (ag).

18 **SECTION 174.** 171.30 (6) of the statutes is amended to read:

19 171.30 (6) "Public agency" has the meaning given in s. ~~146.50~~ 256.15 (1) (n).

20 **SECTION 175.** 196.207 (3) (a) of the statutes is amended to read:

21 196.207 (3) (a) A public agency emergency system under s. ~~146.70~~ 256.35.

22 **SECTION 176.** 233.04 (10) of the statutes is amended to read:

23 233.04 (10) Operate a poison control center under s. ~~146.57~~ 255.35. If
24 Children's Hospital of Wisconsin in the city of Milwaukee ceases to operate a poison

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1 control center under s. ~~146.57~~ 255.35, the authority shall administer a statewide
2 poison control program.

3 **SECTION 177.** 250.01 (intro.) of the statutes is amended to read:

4 **250.01 Definitions.** (intro.) In chs. 250 to ~~255~~ 256, unless the context requires
5 otherwise:

6 **SECTION 178.** 250.20 of the statutes is created to read:

7 **250.20 Health disparities reduction or elimination.**

8 **(2) DEPARTMENTAL DUTIES; MINORITY HEALTH.**

9 **(3) MINORITY HEALTH GRANTS.**

10 **(4) PUBLIC INFORMATION CAMPAIGN GRANT.**

11 **SECTION 179.** 251.01 (8) of the statutes is created to read:

12 251.01 (8) "Sanitarian" means a sanitarian, as defined in s. 440.98 (1) (b), who
13 is registered under s. 440.98 (5).

14 **SECTION 180.** 251.05 (1) (a) of the statutes is amended to read:

15 251.05 (1) (a) As a Level I local health department, at least the level of services
16 specified in sub. (2) (a) with a local health officer who at least meets the qualifications
17 specified in s. 251.06 (1) (a) ~~or with a person who meets the qualifications specified~~
18 ~~in s. 251.06 (1m).~~

19 **SECTION 181.** 251.05 (1) (b) of the statutes is amended to read:

20 251.05 (1) (b) As a Level II local health department, at least the level of services
21 specified in sub. (2) (b) with a local health officer who at least meets the qualifications
22 specified in s. 251.06 (1) (b) ~~or with a person who meets the qualifications specified~~
23 ~~in s. 251.06 (1m).~~

24 **SECTION 182.** 251.05 (1) (c) of the statutes is amended to read:

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1 251.05 (1) (c) As a Level III local health department, at least the level of
2 services specified in sub. (2) (c) with a local health officer who at least meets the
3 qualifications specified in s. 251.06 (1) (c) ~~or with a person who meets the~~
4 ~~qualifications specified in s. 251.06 (1m).~~

5 **SECTION 183.** 251.05 (3) (c) of the statutes is amended to read:

6 251.05 (3) (c) Involve key policymakers and the general public in determining
7 ~~a set of high priority public health services and assure access to these services to~~
8 ~~every member of the community and developing a community health improvement~~
9 ~~plan that includes actions to implement the services and functions specified under~~
10 s. 250.03 (1) (L).

11 **SECTION 184.** 251.06 (1m) of the statutes is repealed.

12 **SECTION 185.** 251.06 (3) (e) of the statutes is renumbered 251.06 (3) (e) (intro.)
13 amended to read:

14 251.06 (3) (e) (intro.) Appoint all necessary subordinate personnel, assure that
15 they meet appropriate qualifications and have supervisory power over all
16 subordinate personnel. Any public health nurses and sanitarians hired for the local
17 health department shall meet any qualification requirements established in rules
18 promulgated by the department. "Subordinate personnel" under this paragraph
19 may include any of the following:

20 **SECTION 186.** 251.06 (3) (e) 1. of the statutes is created to read:

21 251.06 (3) (e) 1. A public health educator who meets qualifications that the
22 department shall specify by rule.

23 **SECTION 187.** 251.06 (3) (e) 2. of the statutes is created to read:

24 251.06 (3) (e) 2. A public health nutritionist, who is a certified dietitian, as
25 defined in s. 448.70 (1m), is credentialed as a registered dietitian by the Commission

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1 on Dietetic Registration, and meets qualifications that the department shall specify
2 by rule.

3 **SECTION 188.** 251.06 (3) (e) 3. of the statutes is created to read:

4 251.06 (3) (e) 3. A public health dental hygienist, who is licensed as a dental
5 hygienist under s. 447.04 (2) (a) or (b), and who meets qualifications that the
6 department shall specify by rule.

7 **SECTION 189.** 251.07 of the statutes is created to read:

8 **251.07 Certain physicians; state agency status.** A physician who is not an
9 employee of the local health department and who provides services, without
10 compensation, for those programs and services provided by a local health
11 department that require medical oversight is, for the provision of the services he or
12 she provides, a state agent of the department of health and family services for the
13 purposes of ss. 165.25 (6), 893.82 (3), and 895.46.

14 **SECTION 190.** 252.14 (1) (ar) 13. of the statutes is amended to read:

15 252.14 (1) (ar) 13. An emergency medical technician licensed under s. ~~146.50~~
16 256.15 (5).

17 **SECTION 191.** 252.15 (1) (af) of the statutes is amended to read:

18 252.15 (1) (af) "Emergency medical technician" has the meaning given in s.
19 ~~146.50 (1) (e)~~ 256.01 (5).

20 **SECTION 192.** 254.01 (2) of the statutes is amended to read:

21 254.01 (2) "Human health hazard" means a substance, activity or condition
22 that is known to have the potential to cause acute or chronic illness ~~or death if~~
23 ~~exposure to the substance, activity or condition is not abated, to endanger life, to~~
24 generate or spread infectious diseases, or otherwise injuriously to affect the health
25 of the public.

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1 **SECTION 193.** 254.59 (1) of the statutes is repealed and recreated to read:

2 254.59 (1) LOCAL HEALTH OFFICER OR DESIGNEE; AUTHORITY. Upon receiving a
3 complaint or if there is probable cause to believe that a human health hazard exists
4 within the jurisdiction of a local health department, the local health officer of that
5 jurisdiction or his or her designee may, under the requirements of this subsection,
6 immediately investigate the suspected human health hazard. If the owner or the
7 occupant of a property or premises consents, the local health officer or his or her
8 designee may enter the property or premises at any reasonable time to inspect,
9 investigate, evaluate, conduct tests, or take specimens or samples as may be
10 reasonably necessary to determine the existence of a human health hazard. If the
11 owner or the occupant of a property or premises refuses entry, the local health officer
12 or his or her designee may seek a special inspection warrant under s. 66.0119 to
13 authorize inspection, investigation, evaluation, ~~conduct~~ ^{conducting} of tests, or taking of
14 specimens or samples for testing, except that, if in the judgment of the local health
15 officer or designee a suspected human health hazard poses an immediate threat to
16 the health of an individual or the public, the local health officer or designee may enter
17 an affected property or premises without consent or a special inspection warrant to
18 perform these activities.

19 **SECTION 194.** 254.59 (2) of the statutes is amended to read:

20 254.59 (2) ABATEMENT OR REMOVAL PROCEDURE. ~~If~~ Except as provided in sub. (3)
21 or (3m), if a human health hazard is found on private property or premises, the local
22 health officer or his or her designee shall notify the owner and ~~the~~ any occupant of
23 the property or premises, by ~~registered mail with return receipt requested~~ personal
24 service or by mail to the last known address of the owner and any occupant, of the
25 presence of the human health hazard and order its abatement or removal within a

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1 reasonable time period, not to exceed 30 days of receipt of, as specified in the notice.
2 ~~If the human health hazard is not abated or removed by that date, the local health~~
3 ~~officer shall~~ owner or occupant fails to comply with the order within the specified
4 time, the local health officer or designee shall immediately enter upon the property
5 or premises and abate or remove the human health hazard or ~~may contract to have~~
6 ~~the work performed, or shall report the failure to abate or remove the human health~~
7 ~~hazard as specified under sub. (3m).~~ The human health hazard shall be abated in
8 a manner ~~which~~ that is approved by the local health officer. ~~The cost of the~~
9 ~~abatement or removal may be recovered from the person permitting the violation or~~
10 ~~may be paid by the municipal treasurer and the account, after being paid by the~~
11 ~~treasurer, shall be filed with the municipal clerk, who shall enter the amount~~
12 ~~chargeable to the property in the next tax roll in a column headed "For Abatement~~
13 ~~of a Nuisance" as a special tax on the lands upon which the human health hazard was~~
14 ~~abated, and the tax shall be collected as are other taxes. In case of railroads or other~~
15 ~~lands not taxed in the usual way, the amount chargeable shall be certified by the~~
16 ~~clerk to the secretary of administration who shall add the amount designated in the~~
17 ~~certificate to the sum due from the company owning, occupying, or controlling the~~
18 ~~land specified, and the secretary of administration shall collect the amount as~~
19 ~~prescribed in subch. I of ch. 76 and return the amount collected to the town, city, or~~
20 ~~village from which the certificate was received. Anyone maintaining such a human~~
21 ~~health hazard may also be fined not more than \$300 or imprisoned for not more than~~
22 ~~90 days or both. The only defenses an owner may have against the collection of a tax~~
23 ~~under this subsection are that no human health hazard existed on the owner's~~
24 ~~property, that no human health hazard was corrected on the owner's property, that~~

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1 the procedure outlined in this subsection was not followed or any applicable defense
2 under s. 74.33.

3 **SECTION 195.** 254.59 (3) of the statutes is created to read:

4 254.59 (3) SUMMARY ABATEMENT OR REMOVAL. If a human health hazard is found
5 on private property or premises and, in the judgment of the local health officer or
6 designee, poses an immediate threat to the health of an individual or the public, the
7 local health officer or his or her designee shall make a good faith effort to notify the
8 owner and any occupant by any practical means, shall confirm the notice in writing
9 by personal service or by mail to the last known address of the owner and any
10 occupant, and shall summarily abate or remove the human health hazard unless the
11 owner or the occupant immediately abates or removes the human health hazard.

12 **SECTION 196.** 254.59 (3m) of the statutes is created to read:

13 254.59 (3m) ABATEMENT OR REMOVAL BY COURT ACTION. If an owner or occupant
14 fails to comply with an order under sub. (2), and if the local health officer or his or
15 her designee determines that the nature of the human health hazard does not pose
16 an immediate threat to the health of an individual or the public if not abated or
17 removed under sub. (3), the local health officer or designee may report this fact to the
18 attorney for the applicable city, town, village, or county, who may initiate court action
19 to abate the human health hazard.

20 **SECTION 197.** 254.59 (4) of the statutes is repealed.

21 **SECTION 198.** 254.59 (5) of the statutes is amended to read:

22 254.59 (5) COST OF ABATEMENT OR REMOVAL. The cost of abatement or removal
23 of a human health hazard under this section subchapter may be at the expense of the
24 municipality city, village, town, or county of the jurisdiction of the local health officer
25 and may be collected from the owner or occupant, or person causing, permitting, or

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1 maintaining the human health hazard, or may be charged against the property or
2 premises and, upon certification of the local health officer, may be assessed by the
3 treasurer of the city, town, village, or county of the jurisdiction of the local health
4 officer as are other special taxes. In cases of railroads or other lands not taxed in the
5 usual way, the amount chargeable shall be certified by the clerk of the applicable city,
6 town, village, or county to the secretary of administration who shall add the amount
7 designated in the certificate to the sum due from the company owning, occupying, or
8 controlling the land specified, and the secretary of administration shall collect the
9 amount as prescribed in subch. I of ch. 76 and return the amount collected to the
10 town, city, ~~or village,~~ or county from which the certificate was received. ~~Anyone~~
11 ~~maintaining such a human health hazard may also be fined not more than \$300 or~~
12 ~~imprisoned for not more than 90 days or both.~~ The only defenses an owner, occupant,
13 or person may have against the collection of the cost or assessment of a tax under this
14 subsection are that no human health hazard existed on the owner's property or
15 premises at the time of abatement, that no human health hazard was corrected by
16 or at the direction of the local health officer or his or her designee on the owner's
17 property, that the procedure outlined in this subsection was not followed, or any
18 applicable defense under s. 74.33.

19 **SECTION 199.** 254.59 (7) of the statutes is created to read:

20 254.59 (7) OTHER ABATEMENT OR REMOVAL AUTHORITY. (a) A county, city, village,
21 or town with a local health department may enact an ordinance concerning
22 abatement or removal of a human health hazard that is at least as restrictive as this
23 section:

24 (b) An ordinance enacted under par. (a) may be enforced in the county, city,
25 village, or town that enacted it.

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1 (c) This subsection may not be construed to prohibit any agreement under s.
2 66.0301 between a county and a city, town, or village that has a local health
3 department, concerning enforcement under this section.

4 **SECTION 200.** 254.59 (8) of the statutes is created to read:

5 254.59 (8) PENALTIES. (a) Whoever refuses entry under sub. (1) by a local health
6 officer or his or her designee at reasonable hours in response to a human health
7 hazard shall forfeit not less than \$100 nor more than \$300.

8 (b) Whoever maintains a human health hazard that requires abatement or
9 removal under this section may be fined not more than \$1,000 or may be imprisoned
10 for not more than 90 days or both.

11 **SECTION 201.** 255.06 (3) of the statutes is amended to read:

12 255.06 (3) SERVICE COORDINATION. The department shall coordinate the services
13 provided under this section with the services provided under the minority health
14 program under s. ~~146.185~~ 250.20 (2) to (4), to ensure that disparities in the health
15 of women who are minority group members are adequately addressed.

16 **SECTION 202.** Chapter 256 of the statutes is created to read:

CHAPTER 256**EMERGENCY MEDICAL SERVICES**

18 **256.01 Definitions.** In this chapter:

19 (10) "Hospital" has the meaning given in s. 50.33 (2).

20 **SECTION 203.** 340.01 (3) (dm) 2. of the statutes is amended to read:

21 340.01 (3) (dm) 2. Used by an emergency medical technician licensed under s.
22 ~~146.50~~ 256.15 or an ambulance driver or first responder authorized by the chief of
23 an ambulance service or rescue squad.

24 **SECTION 204.** 343.23 (2) (a) 1. of the statutes is amended to read:

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1 343.23 (2) (a) 1. The person's employment as a law enforcement officer as
2 defined in s. 165.85 (2) (c), fire fighter as defined in s. 102.475 (8) (b), or emergency
3 medical technician as defined in s. ~~146.50 (1) (e)~~ 256.01 (5).

4 **SECTION 205.** 343.23 (2) (a) 3. of the statutes is amended to read:

5 343.23 (2) (a) 3. The licensee's performance of duties as a first responder, as
6 defined in s. ~~146.53 (1) (d)~~ 256.01 (9).

7 **SECTION 206.** 440.98 (3) of the statutes is amended to read:

8 440.98 (3) SANITARIANS; EMPLOYMENT OR CONTRACTUAL SERVICES. Any agency of
9 the state may employ or contract for the services of sanitarians, registered under this
10 section, who shall enforce the public health statutes under chs. 250 to ~~255~~ 256 or
11 rules promulgated under those statutes.

12 **SECTION 207.** 440.9805 (1) of the statutes is amended to read:

13 440.9805 (1) "Health care provider" means a health care provider, as defined
14 in s. 146.81 (1), a person licensed or issued a training permit as an emergency medical
15 technician under s. ~~146.50~~ 256.15, or a person certified as a first responder under s.
16 ~~146.50 (8)~~ 256.15 (8) (a).

17 **SECTION 208.** 893.82 (2) (d) 1r. of the statutes is amended to read:

18 893.82 (2) (d) 1r. A physician under s. 251.07 or 252.04 (9) (b).

19 **SECTION 209.** 895.35 (2) (a) 2. of the statutes is amended to read:

20 895.35 (2) (a) 2. "Protective services officer" means an emergency medical
21 technician ~~or, as defined in s. 256.01 (5), first responder under s. 146.50 (1) (e) to (hm),~~
22 as defined in s. 256.01 (9), a fire fighter, or a law enforcement or correctional officer.

23 **SECTION 210.** 895.46 (5) (b) of the statutes is amended to read:

24 895.46 (5) (b) A physician under s. 251.07 or 252.04 (9) (b).

25 **SECTION 211.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

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1 895.48 (1m) (a) (intro.) Except as provided in par. (b), any physician or athletic
2 trainer licensed under ch. 448, chiropractor licensed under ch. 446, dentist licensed
3 under ch. 447, emergency medical technician licensed under s. ~~146.50~~ 256.15, first
4 responder certified under s. ~~146.50~~ 256.15 (8), physician assistant licensed under ch.
5 448, registered nurse licensed under ch. 441, or a massage therapist or bodyworker
6 issued a certificate under ch. 460 who renders voluntary health care to a participant
7 in an athletic event or contest sponsored by a nonprofit corporation, as defined in s.
8 66.0129 (6) (b), a private school, as defined in s. 115.001 (3r), a public agency, as
9 defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is immune from
10 civil liability for his or her acts or omissions in rendering that care if all of the
11 following conditions exist:

12 **SECTION 212.** 905.04 (4) (h) of the statutes is amended to read:

13 905.04 (4) (h) *Reporting wounds and burn injuries.* There is no privilege
14 regarding information contained in a report under s. ~~146.995~~ 255.40 pertaining to
15 a patient's name and type of wound or burn injury.

16 **SECTION 213.** 940.20 (7) (a) 1e. of the statutes is amended to read:

17 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. ~~146.50 (1) (am)~~
18 256.01 (1).

19 **SECTION 214.** 940.20 (7) (a) 2g. of the statutes is amended to read:

20 940.20 (7) (a) 2g. "Emergency medical technician" has the meaning given in s.
21 ~~146.50 (1) (e)~~ 256.01 (5).

22 **SECTION 215.** 940.20 (7) (a) 2m. of the statutes is amended to read:

23 940.20 (7) (a) 2m. "First responder" has the meaning given in s. ~~146.53 (1) (d)~~
24 256.01 (9).

25 **SECTION 216.** 941.20 (1m) (a) 1. of the statutes is amended to read:

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1 941.20 (1m) (a) 1. "Ambulance" has the meaning given in s. ~~146.50 (1) (am)~~
2 256.01 (1).

3 **SECTION 217.** 941.20 (1m) (a) 2. of the statutes is amended to read:

4 941.20 (1m) (a) 2. "Emergency medical technician" has the meaning given in
5 s. ~~146.50 (1) (e)~~ 256.01 (5).

6 **SECTION 218.** 941.20 (1m) (a) 3. of the statutes is amended to read:

7 941.20 (1m) (a) 3. "First responder" has the meaning given in s. ~~146.53 (1) (d)~~
8 256.01 (9).

9 **SECTION 219.** 941.37 (1) (a) of the statutes is amended to read:

10 941.37 (1) (a) "Ambulance" has the meaning specified in s. ~~146.50 (1) (am)~~
11 256.01 (1).

12 **SECTION 220.** 941.37 (1) (c) of the statutes is amended to read:

13 941.37 (1) (c) "Emergency medical personnel" means an emergency medical
14 technician licensed under s. ~~146.50~~ 256.15, first responder certified under s. ~~146.50~~
15 256.15 (8), peace officer or fire fighter, or other person operating or staffing an
16 ambulance or an authorized emergency vehicle.

17 **SECTION 221.** 941.375 (1) (a) of the statutes is amended to read:

18 941.375 (1) (a) "Ambulance" has the meaning specified in s. ~~146.50 (1) (am)~~
19 256.01 (1).

20 **SECTION 222.** 941.375 (1) (b) of the statutes is amended to read:

21 941.375 (1) (b) "Public safety worker" means an emergency medical technician
22 licensed under s. ~~146.50~~ 256.15, a first responder certified under s. ~~146.50~~ 256.15 (8),
23 a peace officer, a fire fighter, or a person operating or staffing an ambulance.

24 **SECTION 223. Initial applicability.**

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1 (1) REFUSAL OF ENTRY. The treatment of sections 254.01 (2) and 254.59 (1), (2),
2 and (8) (a) of the statutes first applies to a refusal of entry on the effective date of this
3 subsection.

4 (2) MAINTENANCE OF A HUMAN HEALTH HAZARD. The treatment of sections 254.01
5 (2) and 254.59 (1), (2), (3), (3m), (4), and (8) (b) of the statutes first applies to
6 maintenance of a human health hazard on the effective date of this subsection.

7 (3) LOCAL HEALTH OFFICERS OF LOCAL HEALTH DEPARTMENTS. The treatment of
8 sections 251.05 (1) (a), (b), and (c) and 251.06 (1m) of the statutes first applies to local
9 health officers hired on the effective date of this subsection.

10

(END)

Duerst, Christina

From: Parrott, Douglas
Sent: Thursday, August 02, 2007 12:11 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-1673/3 Topic: Public health statutory changes

Please Jacket LRB 07-1673/3 for the ASSEMBLY.