



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 04/11/2007 (Per: DAK)





Appendix A ... Part 02 of 03

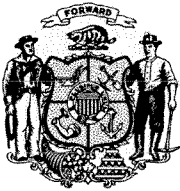
 The 2005 drafting file for LRB-3615

has been transferred to the drafting file for

2007 LRB-1673

 This cover sheet, the final request sheet, and the final version of the 2005 draft were copied on yellow paper, and returned to the original 2005 drafting file.

 The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.



D-NOTE

PRELIMINARY DRAFT ~~NOT READY FOR INTRODUCTION~~

✓
requirements for certain local health officers,
personnel of a local health department,
state agency status for certain physicians,
community health improvement plans,
emergency medical services,

REGENERATE

1 AN ACT to repeal 254.59 (4); to amend 254.01 (2), 254.59 (2), 254.59 (5) and
2 254.59 (6); to repeal and recreate 254.59 (1); and to create 254.59 (3), 254.59
3 (3m), 254.59 (7) and 254.59 (8) of the statutes; relating to: abatement or
4 removal of human health hazards and providing penalties. ✓

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided on a subsequent version.

✓
INSERT
ANAL

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

✓
INSERT
1-5

5 SECTION 1. 254.01 (2) of the statutes is amended to read:
6 254.01 (2) "Human health hazard" means a substance, activity or condition
7 that is known to have the potential to cause acute or chronic illness or death if
8 exposure to the substance, activity or condition is not abated, to endanger life, to
9 generate or spread infectious diseases, or otherwise injuriously to affect the health
10 of the public.

§ in the judgment of the local health officer or designee

1 SECTION 2. 254.59 (1) of the statutes is repealed and recreated to read: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 of tests, or taking of
14 specimens or samples for testing, except that, if a suspected human health hazard
15 poses an immediate threat to the health of an individual or the public, the local
16 health officer or designee may enter an affected property or premises without
17 consent or a special inspection warrant to perform these activities.

****NOTE: Should the last sentence of this paragraph be qualified in some way, as "if, in the judgment of the local health officer or designee, a suspected human health hazard . . .?"

****NOTE: Because the first sentence of this subsection, as proposed, gives the local health officer a broader authority than does the rest of the subsection, I have qualified the first sentence by "under the requirements of this subsection." Also, I have deleted "and thoroughly" in that first sentence; the provision is granting authority to the local health officer to investigate and doesn't need to grant authority to do so thoroughly.

****NOTE: I have placed the penalty provision proposed for this subsection together with other penalties, under sub. (8).

****NOTE: Please note that I have not drafted mention of an owner's agent in this provision or in other places in the draft, as proposed. The definition of "owner" under s. 254.55 (2), stats., which applies to s. 254.59, stats., includes an agent and makes this addition unnecessary.

1 SECTION 3. 254.59 (2) of the statutes is amended to read:

2 254.59 (2) ABATEMENT OR REMOVAL PROCEDURE. If Except as provided in sub. (3)
3 or (3m), if a human health hazard is found on private property or premises, the local
4 health officer or his or her designee shall notify the owner and the any occupant of
5 the property or premises, by ~~registered mail with return receipt requested~~ personal
6 service or by mail to the last known address of the owner and any occupant, of the
7 presence of the human health hazard and order its abatement or removal within a
8 reasonable time period, not to exceed 30 days of receipt of, as specified in the notice.
9 ~~If the human health hazard is not abated or removed by that date, the local health~~
10 ~~officer shall~~ owner or occupant fails to comply with the order within the specified
11 time, the local health officer or designee may immediately enter upon the property
12 or premises and abate or remove the human health hazard ~~or,~~ may contract to have
13 the work performed, or may report the failure to abate or remove the human health
14 hazard as specified under sub. (3m). The human health hazard shall be abated in
15 a manner ~~which~~ that is approved by the local health officer. ~~The cost of the~~
16 ~~abatement or removal may be recovered from the person permitting the violation or~~
17 ~~may be paid by the municipal treasurer and the account, after being paid by the~~
18 ~~treasurer, shall be filed with the municipal clerk, who shall enter the amount~~
19 ~~chargeable to the property in the next tax roll in a column headed "For Abatement~~
20 ~~of a Nuisance" as a special tax on the lands upon which the human health hazard was~~
21 ~~abated, and the tax shall be collected as are other taxes. In case of railroads or other~~
22 ~~lands not taxed in the usual way, the amount chargeable shall be certified by the~~
23 ~~clerk to the secretary of administration who shall add the amount designated in the~~
24 ~~certificate to the sum due from the company owning, occupying, or controlling the~~
25 ~~land specified, and the secretary of administration shall collect the amount as~~

1 prescribed in subch. I of ch. 76 and return the amount collected to the town, city, or
 2 village from which the certificate was received. Anyone maintaining such a human
 3 health hazard may also be fined not more than \$300 or imprisoned for not more than
 4 90 days or both. The only defenses an owner may have against the collection of a tax
 5 under this subsection are that no human health hazard existed on the owner's
 6 property, that no human health hazard was corrected on the owner's property, that
 7 the procedure outlined in this subsection was not followed or any applicable defense
 8 under s. 74.33.

9 **SECTION 4.** 254.59 (3) of the statutes is created to read:

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

***NOTE: Should this provision be qualified in some way, as "... premises and, in the judgment of the local health officer or designee, poses . . .?"

18 **SECTION 5.** 254.59 (3m) of the statutes is created to read:

19 254.59 (3m) ABATEMENT OR REMOVAL BY COURT ACTION. If an owner or occupant
 20 fails to comply with an order under sub. (2), and if the local health officer or his or
 21 her designee determines that the nature of the human health hazard does not pose
 22 an immediate threat to the health of an individual or the public if not abated or
 23 removed under sub. (3), the local health officer or designee may report this fact to the

1 attorney for the applicable city, town, village, or county, who may initiate court action
2 to abate the human health hazard.

***NOTE: Please note that I have numbered this provision as s. 254.59 (3m), rather than s. 254.49 (5), as proposed, in order to group together the three procedures for abatement or removal (s. 254.59 (2), (3), and (3m)). This provision, as proposed, did not seem to be congruent with proposed language for s. 254.59 (2) and (3); it required that, if the human health hazard did not pose an immediate threat to health if not abated, the local health officer or designee notify the owner and occupant of the hazard, order abatement or removal within 30 days, and report failure to abate or remove to the appropriate municipal attorney for action; because the language was proposed as a requirement, the local health officer would have had to act under both sub. (2) and this provision. Because this provision does not involve a human health hazard that poses an immediate threat, it seems, instead, to be an alternative to sub. (2) and, therefore, should not be a requirement but an option if the local health officer does not abate or remove under sub. (2). That is the way I have drafted it. Please review.

***NOTE: This provision seems to place responsibility for enforcement of a state statute on the city, town, or village attorney; was that your intent? Was it also your intent that enforcement be by a county corporation counsel, rather than a district attorney?

3 **SECTION 6.** 254.59 (4) ^x of the statutes is repealed.

***NOTE: I have repealed this subsection, as requested; it seems redundant to other subsections, and the amounts of the penalties conflict with other subsections. Also, the provision seemed to specify what authority a local health officer would have to abate or remove a human health hazard in a city with a general charter, which may be in conflict with the home rule amendment to the Wisconsin Constitution (Article XI, section 3), under which a city ordinance may trump a conflicting state law for matters of paramountly local interest. Please also see my amendment to sub. (6). Please review.

4 **SECTION 7.** 254.59 (5) ^x of the statutes is amended to read:

5 254.59 (5) COST OF ABATEMENT OR REMOVAL. The cost of abatement or removal
6 of a human health hazard under this section subchapter may be at the expense of the
7 municipality city, village, town, or county of the jurisdiction of the local health officer
8 and may be collected from the owner or occupant, or person causing, permitting, or
9 maintaining the human health hazard, or may be charged against the property or
10 premises and, upon certification of the local health officer, may be assessed by the
11 treasurer of the city, town, village, or county of the jurisdiction of the local health
12 officer as are other special taxes. In cases of railroads or other lands not taxed in the
13 usual way, the amount chargeable shall be certified by the clerk of the applicable city,

✓
occupant, or
person

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

***NOTE: Should the defenses in the last sentence also be applicable to the occupant or other person, from whom the cost may be collected or tax may be assessed?

***NOTE: Please note that I have removed the criminal penalty from this provision and placed it in newly created sub. (8).

***NOTE: Please also note that I have clarified who is the "clerk" specified in this subsection and have indicated that the defenses are to both the tax assessment and to collection.

13 SECTION 8. 254.59 (6) of the statutes is amended to read:
 14 254.59 (6) CITY CHARTER. A ~~1st~~ class city may, but is not required to, follow the
 15 provisions of this section. A ~~1st~~ class city may follow the provisions of its charter.

***NOTE: Please also see the ***NOTE under sub. (4). The proposal did not acknowledge the existence of this subsection, but I believe it is important, because of the opinions in *State ex rel. Ekern v. City of Milwaukee*, 190 Wis. 633 (1926) and *Van Gilder v. City of Madison*, 222 Wis. 58 (1936), which held that, although the state may legislate, by classes, in an area of paramountly local interest, a city or village may enact its own ordinance (called a charter ordinance) and elect not to be governed by a conflicting state law in an area of local interest, and that a city or village may elect not to be governed by a state law of local concern if that state law does not affect all cities or all villages with uniformity. Would you want me to add mention of a village to this subsection? Please review.

16 SECTION 9. 254.59 (7) of the statutes is created to read:

1 254.59 (7) OTHER ABATEMENT OR REMOVAL AUTHORITY. A county with a county
 2 health department, multiple counties with a multiple county health department, or
 3 a city and a county with a city-county health department may enact an ordinance ^{each}
 4 concerning abatement or removal of a human health hazard that is at least as
 5 restrictive as this section and that may be enforced in the area of jurisdiction of the
 6 relevant single or multiple county health department or city-county health
 7 department, as specified in s. 251.08. This subsection may not be construed to
 8 prohibit any agreement under s. 66.0301 between a county and a city, town, or village
 9 that has a local health department, concerning enforcement under this section.

***NOTE: After talking with Mr. Daryl Farmer, I have replaced language proposed for sub. (6) and for an amendment to s. 251.08, stats., with the above language. Please review.

10 **SECTION 10.** 254.59 (8) of the statutes is created to read:

11 254.59 (8) PENALTIES. (a) Whoever refuses entry under sub. (1) by a local health
 12 officer or his or her designee at reasonable hours shall forfeit not less than \$100 nor
 13 more than \$300.

***NOTE: This penalty is very broad; is it intended to be unconditional, as drafted?

14 (b) Whoever maintains a human health hazard that requires abatement or
 15 removal under this section may be required to forfeit not more than \$1,000 or may
 16 be imprisoned for not more than 90 days or both.

***NOTE: This penalty was formerly contained under sub. (5), under current law, and the amount of money (\$300) was specified as a fine. The proposal, besides increasing the amount, refers to it as a forfeiture; is that intentional? (Usually, when a forfeiture is linked with imprisonment, the imprisonment is for a repeat infraction or an intentional violation.) Please note that I have conditioned it by the language "that requires abatement or removal under this section;" this language replaces the word "such" used under sub. (5) in current law. Is this accurate, or should this penalty be imposed only on a person who maintains a human health hazard and who fails to act within any time specified in a notice?

17

(END)

INSERT 7-16

D-NOTE

INSERT ANAL

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 ~~an~~ 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 a 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 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 nature of this human health hazard does not pose an immediate threat, the local health officer may report this fact 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 with a county health department, multiple counties with a multiple county health department, or a city and a county with a city-county health department may each 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 area of jurisdiction of the relevant health department.

↓

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 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 requirements for a Level I local health department if that county human services department employs at least one individual who meets those requirements.

This bill eliminates the exception to requirements for a local health officer of a Level I local health department 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 authorizes local health boards to establish requirements for public health educators for local health departments and clarifies that "subordinate personnel" that local health officers must appoint may include public health educators who meet those requirements and dietitians who are certified by the Dietitians Affiliated Credentialing Board.

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 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 a state agent 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, including determination of high priority services and assuring access to the services to community members, based on the needs of the communities.

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.

INSERT 1-5

1 **SECTION 1.** 20.155 (3) (q) of the statutes is amended to read:

2 20.155 (3) (q) *General program operations and grants.* From the wireless 911
3 fund, all moneys received under s. 146.70 256.35 (3m) (f) 1. to administer and make
4 grants under s. 146.70 256.35 (3m) (d) and supplemental grants under s. 146.70
5 256.35 (3m) (e).

History: 1971 c. 125; 1973 c. 90; 1975 c. 39; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1985 a. 79, 296, 297, 332; 1987 a. 27, 399; 1991 a. 39, 269; 1993 a. 16, 123; 1995 a. 27; 1997 a. 27, 140, 229; 1999 a. 9, 32, 84, 150, 196; 2001 a. 16, 30; 2003 a. 48

6 **SECTION 2.** 20.435 (1) (gm) of the statutes, as affected by 2005 Wisconsin Act
7 25, is amended to read:

8 20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and*
9 *services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8),
10 252.23, 252.24, 252.245, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to
11 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2), and 256.15 (8) and ch. 69,

1 for the purchase and distribution of medical supplies and to analyze and provide data
 2 under s. 250.04. All moneys received under ss. 146.50 (5) (f) and (8) (d), 250.04 (3m),
 3 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.181, 254.20 (5) and
 4 (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) (b), and 256.15
 5 (5) (f) and (8) (d) and ch. 69, other than s. 69.22 (1m), and as reimbursement for
 6 medical supplies shall be credited to this appropriation account.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74.

7 **SECTION 3.** 20.435 (5) (ch) of the statutes, as affected by 2005 Wisconsin Act 25,

8 is amended to read:

9 **20.435 (5) (ch) *Emergency medical services; aids.*** The amounts in the schedule
 10 for emergency medical technician — basic training and examination aid under s.
 11 146.55 256.12 (5) and for ambulance service vehicles or vehicle equipment,
 12 emergency medical services supplies or equipment or emergency medical training
 13 for personnel under s. 146.55 256.12 (4).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74.

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

15 **20.435 (5) (ds) *Statewide poison control program.*** The amounts in the schedule
 16 to supplement the operation of a statewide poison control program under s. 146.57
 17 255.35 (3) and for the statewide collection and reporting of poison control data.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27,

76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74.

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

2 **20.435 (5) (kb) *Minority health.*** The amounts in the schedule for the minority
3 health program under s. ~~146.185~~ 250.20 (3) and (4). All moneys transferred from the
4 appropriation account under s. 20.505 (8) (hm) 6e. shall be credited to this
5 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on
6 June 30 of each year shall revert to the appropriation account under s. 20.505 (8)
7 (hm).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74.

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

9 **20.435 (5) (ke) *Cooperative American Indian health projects.*** The amounts in
10 the schedule for grants for cooperative American Indian health projects under s.
11 ~~146.19~~ 250.20 (5). All moneys transferred from the appropriation account under s.
12 20.505 (8) (hm) 18b. shall be credited to this appropriation account.
13 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
14 shall revert to the appropriation account under s. 20.505 (8) (hm).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74.

15 **SECTION 7. 21.72 (1) (a) 4.** of the statutes, as affected by 2005 Wisconsin Act 25,
16 is amended to read:

17 **21.72 (1) (a) 4.** A license, certificate of approval, provisional license, conditional
18 license, certification, certification card, registration, permit, training permit, or

1 approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), [✓]146.50 (5) (a)
 2 or (b), ~~(6g) (a), (7), or (8) (a) or (f)~~, 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
 3 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), [✓]256.15 (5) (a) or
 4 (b), or 343.305 (6) (a) or a permit for the operation of a campground specified in s.
 5 254.47 (1). (6g) (a), (7), or (8) (a) or (f),

History: 2001 a. 22; 2003 a. 69; 2005 a. 25.

SECTION 8. 25.98 of the statutes is amended to read:

7 **25.98 Wireless 911 fund.** There is established a separate nonlapsible trust
 8 fund designated as the wireless 911 fund, consisting of deposits by the public service
 9 commission under s. ~~146.70~~ [✓]256.35 (3m) (f) 1.

History: 2003 a. 48.

SECTION 9. 36.27 (3m) (a) 1g. of the statutes is amended to read:

11 36.27 (3m) (a) 1g. "Emergency medical services technician" means an
 12 individual under s. ~~146.50 (1) (e), (f), (g), (h) or (hm)~~ [✓]256.01 (5) or (9).

History: 1973 c. 333 ss. 68g, 68k, 201f (2); 1973 c. 335; 1975 c. 39, 199; 1977 c. 29; 1981 c. 20; 1983 a. 407; 1985 a. 51, 192; 1987 a. 399; 1989 a. 31 ss. 709p to 710, 2908; 1989 a. 67, 181, 359; 1991 a. 39, 168, 169; 1993 a. 16; 1995 a. 27, 228; 1997 a. 27, 163, 237; 1999 a. 9, 130, 154, 186; 2001 a. 16, 38; 2003 a. 33 ss. 936, 9160; 2003 a. 42, 185, 320; 2005 a. 22, 25.

SECTION 10. 38.04 (9) of the statutes is amended to read:

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

History: 1971 c. 154, 211; 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 221; 1981 c. 20; 1981 c. 93 ss. 19m, 30m, 30o; 1981 c. 269, 314; 1983 a. 27, 379; 1985 a. 12, 29; 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31, 107, 125, 169, 299, 335, 336; 1991 a. 39, 227, 250; 1993 a. 16, 223, 377, 399, 455, 491; 1995 a. 27 ss. 1800n to 1803, 9126 (19) and 9145 (1); 1995 a. 342; 1997 a. 27; 1999 a. 9, 124; 2001 a. 16, 109; 2003 a. 33, 62; 2005 a. 25.

1 **SECTION 11.** 38.24 (5) (a) 1j. of the statutes is amended to read:

2 38.24 (5) (a) 1j. "Emergency medical services technician" means an individual
3 under s. ~~146.50 (1) (e), (f), (g), (h) or (hm)~~ 256.01 (5) or (9).

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25.

4 **SECTION 12.** 48.685 (1) (ag) 2. of the statutes is amended to read:

5 48.685 (1) (ag) 2. "Caregiver" does not include a person who is certified as an
6 emergency medical technician under s. ~~146.50~~ 256.15 if the person is employed, or
7 seeking employment, as an emergency medical technician and does not include a
8 person who is certified as a first responder under s. ~~146.50~~ 256.15 if the person is
9 employed, or seeking employment, as a first responder.

History: 1997 a. 27, 237, 281; 1999 a. 9, 32, 56, 185, 186; 2001 a. 109; 2003 a. 321.

10 **SECTION 13.** 49.857 (1) (d) 4. of the statutes, as affected by 2005 Wisconsin Act
11 25, is amended to read:

12 49.857 (1) (d) 4. A certification, license, training permit, registration, approval
13 or certificate issued under s. 49.45 (2) (a) 11., ~~146.50 (5) (a) or (b), (6g) (a) or (8) (a),~~
14 252.23 (2), 252.24 (2), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47
15 (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)(a)*

History: 1997 a. 191; 1999 a. 9, 31, 32, 186; 2001 a. 56, 61; 2005 a. 25.

16 **SECTION 14.** 50.065 (1) (ag) 2. of the statutes is amended to read:

17 50.065 (1) (ag) 2. "Caregiver" does not include a person who is certified as an
18 emergency medical technician under s. ~~146.50~~ 256.15 if the person is employed, or
19 seeking employment, as an emergency medical technician and does not include a
20 person who is certified as a first responder under s. ~~146.50~~ 256.15 if the person is
21 employed, or seeking employment, as a first responder.

History: 1997 a. 27, 105, 237; 1999 a. 9, 32, 56, 185, 186; 2001 a. 109; 2005 a. 25.

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

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

3 History: 2003 a. 186.

3 **SECTION 16.** 66.0608 (1) (a) of the statutes is amended to read:

4 66.0608 (1) (a) "Emergency medical technician" has the meaning given in s.
5 ~~146.50 (1) (e)~~ 256.01 (5).

6 History: 2001 a. 16.

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

7 66.0608 (1) (d) "First responder" has the meaning given in s. ~~146.53~~ (1) (d)
8 256.08 (1).

9 History: 2001 a. 16.

9 **SECTION 18.** 73.0301 (1) (d) 3. of the statutes, as affected by 2005 Wisconsin Act

10 25, is amended to read:

11 73.0301 (1) (d) 3. A license, certificate of approval, provisional license,
12 conditional license, certification, certification card, registration, permit, training
13 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)

14 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3) or (3m), ~~146.50 (5) (a) or (b), (6g) (a), (7) or~~

15 ~~(8) (a) or (f)~~, 252.23 (2), 252.24 (2), 254.176, 254.20 (3), 255.08 (2) (a), 256.15 (5) (a)

16 or (b), or 343.305 (6) (a) or a permit for operation of a campground specified in s.

17 254.47 (1). (6g) (a), (7), or (8) (a) or (f)

18 History: 1997 a. 237 ss. 301, 307, 532; 1999 a. 9, 31, 32, 186; 2001 a. ~~50~~; 2005 a. 25.

18 **SECTION 19.** 77.51 (4) (b) 8. of the statutes is amended to read:

19 77.51 (4) (b) 8. The surcharge established in rules of the public service
20 commission under s. ~~146.70~~ 256.35 (3m) (f) for customers of wireless providers, as
21 defined in s. ~~146.70~~ 256.35 (3m) (a) 6.

History: 1973 c. 333; 1975 c. 39, 41, 99, 224; 1975 c. 413 s. 18; 1977 c. 29, 418; 1979 c. 1 ss. 57 to 59, 61, 62; 1979 c. 174; 1981 c. 20; 1981 c. 79 s. 17; 1983 a. 23, 27; 1983 a. 189 ss. 92 to 108, 329 (12); 1983 a. 510, 538; 1983 a. 544 ss. 13 to 46, 47 (1) (b); 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 31, 335, 336; 1991 a. 39, 269, 316; 1993 a. 16, 112, 184; 1997 a. 27, 237; 1999 a. 9, 83; 2001 a. 45, 102; 2003 a. 48; 2005 a. 25.

22 **SECTION 20.** 77.51 (15) (b) 7. of the statutes is amended to read:

1 77.51 (15) (b) 7. The surcharge established in rules of the public service
2 commission under s. ~~146.70~~ 256.35 (3m) (f) for customers of wireless providers, as
3 defined in s. ~~146.70~~ 256.35 (3m) (a) 6.

History: 1973 c. 333; 1975 c. 39, 41, 99, 224; 1975 c. 413 s. 18; 1977 c. 29, 418; 1979 c. 1 ss. 57 to 59, 61, 62; 1979 c. 174; 1981 c. 20; 1981 c. 79 s. 17; 1983 a. 23, 27; 1983 a. 189 ss. 92 to 108, 329 (12); 1983 a. 510, 538; 1983 a. 544 ss. 13 to 46, 47 (1) (b); 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 31, 335, 336; 1991 a. 39, 269, 316; 1993 a. 16, 112, 184; 1997 a. 27, 237; 1999 a. 9, 83; 2001 a. 45, 102; 2003 a. 48; 2005 a. 25.

4 **SECTION 21.** 77.54 (37) of the statutes is amended to read:

5 77.54 (37) The gross receipts from revenues collected under s. ~~146.70~~ 256.35
6 (3).

History: 1971 c. 64, 154, 215, 311; 1973 c. 90, 156, 240; 1975 c. 39, 96, 102, 146, 200; 1977 c. 29; 1977 c. 83 ss. 13, 26; 1977 c. 250, 368, 418; 1979 c. 1, 34, 87, 174; 1981 c. 20; 1981 c. 79 s. 18; 1981 c. 96 s. 67; 1981 c. 264; 1981 c. 282 s. 47; 1981 c. 317; 1983 a. 27 ss. 1284d to 1284np, 2202 (38); 1983 a. 189 ss. 101, 106, 329 (5), (12), (13); 1983 a. 192, 287, 405, 426, 498, 510, 538, 544; 1985 a. 29, 149, 332; 1987 a. 27; 1987 a. 312 s. 17; 1987 a. 399; 1989 a. 31, 238, 270, 335, 359; 1991 a. 37, 39, 269, 316; 1993 a. 16, 263, 332; 1995 a. 27, 125, 225, 227; 1997 a. 27, 35, 41, 184, 237, 291; 1999 a. 9, 65, 83; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 103, 109; 2003 a. 99, 128; 2005 a. 25, 74.

7 **SECTION 22.** 85.12 (2) of the statutes is amended to read:

8 85.12 (2) The department shall maintain any existing communications
9 equipment at state patrol towers and stations that is used by emergency medical
10 services programs under s. ~~146.55~~ 256.12 unless the cost of maintaining the
11 equipment exceeds the benefits that will result from such maintenance.

History: 1993 a. 16; 1999 a. 9, 185; 2001 a. 16; 2003 a. 33.

12 **SECTION 23.** 85.32 of the statutes is amended to read:

13 **85.32 Statewide trauma care system transfer.** Beginning July 1, 2000,
14 and annually thereafter, the secretary shall transfer \$80,000 from the appropriation
15 under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes
16 of the statewide trauma care system under s. ~~146.56~~ 256.25.

History: 1999 a. 9.

17 **SECTION 24.** 102.07 (7) (b) of the statutes is amended to read:

18 102.07 (7) (b) The department may issue an order under s. 102.31 (1) (b)
19 permitting the county within which a volunteer fire company or fire department
20 organized under ch. 213, a legally organized rescue squad, an ambulance service
21 provider, as defined in s. ~~146.50~~ (1) (e) 256.01 (3), or a legally organized diving team

1 is organized to assume full liability for the compensation provided under this chapter
2 of all volunteer members of that company, department, squad, provider or team.

3 **Cross Reference:** Cross Reference: Cross Reference: See also s. DWD 80.30, Wis. adm. code. **Cross Reference:**

History: 1975 c. 147 s. 54; 1975 c. 224; 1977 c. 29; 1979 c. 278; 1981 c. 325; 1983 a. 27, 98; 1985 a. 29, 83, 135; 1985 a. 150 s. 4; 1985 a. 176, 332; 1987 a. 63; 1989 a. 31, 64, 359; 1993 a. 16, 81, 112, 399; 1995 a. 24, 77, 96, 117, 225, 281, 289, 417; 1997 a. 35, 38, 118; 1999 a. 14, 162; 2001 a. 37; 2005 a. 96.

4 **SECTION 25.** 118.29 (1) (c) of the statutes is amended to read:

5 118.29 (1) (c) "Health care professional" means a person licensed as an
6 emergency medical technician under s. ~~146.50~~ 256.15, a person certified as a first
7 responder under s. ~~146.50~~ 256.15 (8) or any person licensed, certified, permitted or
8 registered under chs. 441 or 446 to 449.

History: 1983 a. 334; 1985 a. 146 s. 8; 1985 a. 218; 1987 a. 14, 399; 1989 a. 56, 102, 105; 1991 a. 103; 1997 a. 164; 1999 a. 56, 126; 2001 a. 16, 83.

9 **SECTION 26.** 146.185 (title) of the statutes is repealed.

10 **SECTION 27.** 146.185 (1) (intro.) of the statutes is repealed.

11 **SECTION 28.** 146.185 (1) (a) to (e) of the statutes are renumbered 250.20 (1) (a)
12 to (e).

13 **SECTION 29.** 146.185 (1) (f) of the statutes is renumbered 250.20 (1) (g).

14 **SECTION 30.** 146.185 (1) (g) of the statutes is renumbered 250.20 (1) (h).

15 **SECTION 31.** 146.185 (1) (h) of the statutes is renumbered 250.20 (1) (j).

16 **SECTION 32.** 146.185 (1) (i) of the statutes is renumbered 250.20 (1) (k).

17 **SECTION 33.** 146.185 (2) to (4) of the statutes are renumbered 250.20 (2) to (4).

18 **SECTION 34.** 146.19 (title) of the statutes is repealed.

19 **SECTION 35.** 146.19 (1) (intro.) of the statutes is renumbered 250.20 (1) (intro.).

20 **SECTION 36.** 146.19 (1) (a) of the statutes is renumbered 250.20 (1) (f).

21 **SECTION 37.** 146.19 (1) (b) of the statutes is renumbered 250.20 (1) (i).

22 **SECTION 38.** 146.19 (1) (c) of the statutes is renumbered 250.20 (1) (L).

23 **SECTION 39.** 146.19 (1) (d) of the statutes is renumbered 250.20 (1) (m).

24 **SECTION 40.** 146.19 (2) of the statutes is renumbered 250.20 (5).

1 **SECTION 41.** 146.19 (4) of the statutes is renumbered 250.20 (6) and amended
2 to read:

3 250.20 (6) **LIMITATION; MATCHING FUNDS.** A grant awarded under sub. (2) (5) may
4 not exceed 50% of the cost of the cooperative American Indian health project.
5 Participants in a funded project, as specified in sub. (2) (5) (a), may use in-kind
6 contributions to provide part or all of the required match.

7 History: 1993 a. 16; 1997 a. 27; 1999 a. 9.

7 **SECTION 42.** 146.301 of the statutes is renumbered 256.30.

8 **SECTION 43.** 146.37 (1) (a) of the statutes is amended to read:

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

13 History: 1975 c. 187; 1979 c. 221; 1981 c. 323; 1983 a. 27; 1985 a. 29 s. 3202 (27); 1985 a. 340; 1987 a. 27, 399; 1989 a. 102; 1997 a. 175; 1999 a. 56.

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

14 146.37 (1) (b) "Medical director" has the meaning specified in s. 146.50 (1) (j)
15 256.01 (11).

16 History: 1975 c. 187; 1979 c. 221; 1981 c. 323; 1983 a. 27; 1985 a. 29 s. 3202 (27); 1985 a. 340; 1987 a. 27, 399; 1989 a. 102; 1997 a. 175; 1999 a. 56.

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

17 146.37 (1g) Except as provided in s. 153.85, no person acting in good faith who
18 participates in the review or evaluation of the services of health care providers or
19 facilities or the charges for such services conducted in connection with any program
20 organized and operated to help improve the quality of health care, to avoid improper
21 utilization of the services of health care providers or facilities or to determine the
22 reasonable charges for such services, or who participates in the obtaining of health
23 care information under ch. 153, is liable for any civil damages as a result of any act
24 or omission by such person in the course of such review or evaluation. Acts and

1 omissions to which this subsection applies include, but are not limited to, acts or
2 omissions by peer review committees or hospital governing bodies in censuring,
3 reprimanding, limiting or revoking hospital staff privileges or notifying the medical
4 examining board or podiatrists affiliated credentialing board under s. 50.36 or taking
5 any other disciplinary action against a health care provider or facility and acts or
6 omissions by a medical director, ~~as defined in s. 146.50 (1) (j)~~, in reviewing the
7 performance of emergency medical technicians or ambulance service providers.

8 **History:** 1975 c. 187; 1979 c. 221; 1981 c. 323; 1983 a. 27; 1985 a. 29; 3202 (27); 1985 a. 340; 1987 a. 27, 399; 1989 a. 102; 1997 a. 175; 1999 a. 56.

8 **SECTION 46.** 146.38 (1) (b) of the statutes is amended to read:

9 146.38 (1) (b) "Health care provider" includes an ambulance service provider,
10 as defined in s. 146.50 (1) (e) 256.01 (3), an emergency medical technician, as defined
11 in s. 146.50 (1) (e) 256.01 (5), and a first responder, as defined in s. 146.50 (1) (hm)
12 256.01 (9).

13 **History:** 1975 c. 187; 1979 c. 89; 1983 a. 27; 1989 a. 102; 1991 a. 217; 1999 a. 56.

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

14 146.38 (1) (c) "Medical director" has the meaning specified in s. 146.50 (1) (j)
15 256.01 (11).

16 **History:** 1975 c. 187; 1979 c. 89; 1983 a. 27; 1989 a. 102; 1991 a. 217; 1999 a. 56.

16 **SECTION 48.** 146.50 (title) of the statutes is renumbered 256.15 (title).

17 **SECTION 49.** 146.50 (1) (intro.) of the statutes is renumbered 256.15 (1) (intro.).

18 **SECTION 50.** 146.50 (1) (ag) of the statutes is renumbered 256.15 (1) (ag).

19 **SECTION 51.** 146.50 (1) (am) of the statutes is renumbered 256.01 (1).

20 **SECTION 52.** 146.50 (1) (c) of the statutes is renumbered 256.01 (3).

21 **SECTION 53.** 146.50 (1) (cm) of the statutes is renumbered 256.15 (1) (cm).

22 **SECTION 54.** 146.50 (1) (d) of the statutes is renumbered 256.15 (1) (d).

23 **SECTION 55.** 146.50 (1) (dm) of the statutes is renumbered 256.15 (1) (dm).

24 **SECTION 56.** 146.50 (1) (e) of the statutes is renumbered 256.01 (5).

- 1 **SECTION 57.** 146.50 (1) (f) of the statutes is renumbered 256.01 (6).
- 2 **SECTION 58.** 146.50 (1) (g) of the statutes is renumbered 256.01 (7).
- 3 **SECTION 59.** 146.50 (1) (h) of the statutes is renumbered 256.01 (8).
- 4 **SECTION 60.** 146.150 (1) (hm) of the statutes is renumbered 256.01 (9).
- 5 **SECTION 61.** 146.50 (1) (hr) of the statutes is renumbered 256.15 (1) (hr).
- 6 **SECTION 62.** 146.50 (1) (i) of the statutes is renumbered 256.15 (1) (i).
- 7 **SECTION 63.** 146.50 (1) (ig) of the statutes is renumbered 256.15 (1) (ig).
- 8 **SECTION 64.** 146.50 (1) (im) of the statutes is renumbered 256.15 (1) (im).
- 9 **SECTION 65.** 146.50 (1) (j) of the statutes is renumbered 256.01 (11).
- 10 **SECTION 66.** 146.50 (1) (k) of the statutes is renumbered 256.01 (12).
- 11 **SECTION 67.** 146.50 (1) (L) of the statutes is renumbered 256.15 (1) (L).
- 12 **SECTION 68.** 146.50 (1) (m) of the statutes is repealed.
- 13 **SECTION 69.** 146.50 (1) (n) of the statutes is renumbered 256.15 (1) (n).
- 14 **SECTION 70.** 146.50 (1) (o) of the statutes is renumbered 256.15 (1) (o).
- 15 **SECTION 71.** 146.50 (1) (p) of the statutes is renumbered 256.15 (1) (p).
- 16 **SECTION 72.** 146.50 (2) to (4) of the statutes are renumbered 256.15 (2) to (4).
- 17 **SECTION 73.** 146.50 (5) (title) of the statutes is renumbered 256.15 (5) (title).
- 18 **SECTION 74.** 146.50 (5) (a) of the statutes is renumbered 256.15 (5) (a) and

19 amended to read:

20 256.15 (5) (a) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,

21 the department shall license qualified applicants as ambulance service providers or

22 emergency medical technicians. The department shall, from the information on the

23 certification form specified under sub. (6) (c) 2., establish in each ambulance service

1 provider's biennial license the primary service or contract area of the ambulance
2 service provider.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

3 **SECTION 75.** 146.50 (5) (b) of the statutes is renumbered 256.15 (5) (b) and
4 amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

9 **SECTION 76.** 146.50 (5) (c) to (f) of the statutes are renumbered 256.15 (5) (c)
10 to (f).

11 **SECTION 77.** 146.50 (5) (g) of the statutes is renumbered 256.15 (5) (g) and
12 amended to read:

13 256.15 (5) (g) Except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18,
14 an emergency medical technician license shall be issued to the individual licensed,
15 and the department may not impose a requirement that an individual be affiliated
16 with an ambulance service provider in order to receive an emergency medical
17 technician license or to have an emergency medical technician license renewed.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

18 **SECTION 78.** 146.50 (6) (title) of the statutes is renumbered 256.15 (6) (title).

19 **SECTION 79.** 146.50 (6) (a) (intro.) of the statutes is renumbered 256.15 (6) (a)
20 (intro.) and amended to read:

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:

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

4 **SECTION 80.** 146.50 (6) (a) 1. to 4. of the statutes are renumbered 256.15 (6) (a)

5 1. to 4.

6 **SECTION 81.** 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.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

13 **SECTION 82.** 146.50 (6) (b) 2. of the statutes is renumbered 256.15 (6) (b) 2.

14 **SECTION 83.** 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

1 compensation as employees of the ambulance service provider. For renewal of a
2 biennial license as an ambulance service provider, an applicant shall also provide all
3 of the following:

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

4 **SECTION 84.** 146.50 (6) (c) 1. of the statutes is renumbered 256.15 (6) (c) 1. and
5 amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

9 **SECTION 85.** 146.50 (6) (c) 2. of the statutes is renumbered 256.15 (6) (c) 2.

10 **SECTION 86.** 146.50 (6g) (title) of the statutes is renumbered 256.15 (6g) (title).

11 **SECTION 87.** 146.50 (6g) (a) of the statutes is renumbered 256.15 (6g) (a) and
12 amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

17 **SECTION 88.** 146.50 (6g) (b) of the statutes is renumbered 256.15 (6g) (b).

18 **SECTION 89.** 146.50 (6n) of the statutes is renumbered 256.15 (6n).

19 **SECTION 90.** 146.50 (7) of the statutes is renumbered 256.15 (7) and amended
20 to read:

21 256.15 (7) LICENSING IN OTHER JURISDICTIONS. Except as provided in ss. ~~146.51~~
22 and ~~146.52~~ 256.17 and 256.18, the department may issue a license as an emergency
23 medical technician, without examination, to any individual who holds a current

1 license or certificate as an emergency medical technician from another jurisdiction
2 if the department finds that the standards for licensing or issuing certificates in the
3 other jurisdiction are at least substantially equivalent to those in this state, and that
4 the applicant is otherwise qualified.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

5 **SECTION 91.** 146.50 (8) (title) of the statutes is renumbered 256.15 (8) (title).

6 **SECTION 92.** 146.50 (8) (a) of the statutes is renumbered 256.15 (8) (a) and
7 amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

10 **SECTION 93.** 146.50 (8) (b) (intro.) of the statutes is renumbered 256.15 (8) (b)

11 (intro.) and amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

15 **SECTION 94.** 146.50 (8) (b) 1. to 3. of the statutes are renumbered 256.15 (8) (b)

16 1. to 3.

17 **SECTION 95.** 146.50 (8) (c) of the statutes is renumbered 256.15 (8) (c) and
18 amended to read:

19 256.15 (8) (c) To be eligible for a renewal of a certificate as a first responder,
20 except as provided in ss. ~~146.51 and 146.52~~ 256.17 and 256.18, the holder of the
21 certificate shall satisfactorily complete a first responder refresher course that meets
22 or exceeds the guidelines issued by the National Highway Traffic Safety

1 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
2 acts of terrorism, and that is approved by the department.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

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SECTION 96. 146.50 (8) (d) to (e) of the statutes are renumbered 256.15 (8) (d) to (e).

5 **SECTION 97.** 146.50 (8) (f) of the statutes is renumbered 256.15 (8) (f) and
6 amended to read:

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

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

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SECTION 98. 146.50 (8) (g) of the statutes is renumbered 256.15 (8) (g).
SECTION 99. 146.50 (8g) (title) of the statutes is renumbered 256.15 (8g) (title).
SECTION 100. 146.50 (8g) (a) to (c) (intro.) of the statutes are renumbered 256.15 (8g) (a) to (c) (intro.).
SECTION 101. 146.50 (8g) (c) 1. of the statutes is renumbered 256.15 (8g) (c) 1. and amended to read:
256.15 (8g) (c) 1. Provide written notification to the nearest emergency medical services program under s. ~~146.55~~ 256.12 (2). The notification shall include information as to the type of the semiautomatic defibrillator, the location of the

1 defibrillator on the premises of the person, the intended usage area for the
2 defibrillator and the owner of the defibrillator.

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

3 **SECTION 102.** 146.50 (8g) (c) 2. to (8m) of the statutes are renumbered 256.15
4 (8g) (c) 2. to (8m).

5 **SECTION 103.** 146.50 (9) of the statutes, as affected by 2005 Wisconsin Act 25,
6 is renumbered 256.15 (9).

7 **SECTION 104.** 146.50 (10) to (11) (d) of the statutes are renumbered 256.15 (10)
8 to (11) (d).

9 **SECTION 105.** 146.50 (11) (e) of the statutes is renumbered 256.15 (11) (e) and
10 amended to read:

11 256.15 (11) (e) To restrain or prevent the establishment, management or
12 operation of an ambulance service, as defined in s. 146.55 (1) (a), in violation of sub.
13 (4).

History: 1973 c. 321; 1975 c. 39 ss. 645 to 647d, 732 (2); 1975 c. 224; 1977 c. 29, 167; 1979 c. 321; 1981 c. 73, 380; 1981 c. 391 s. 211; 1983 a. 189; 1985 a. 120, 135; 1987 a. 70, 399; 1989 a. 31; 1989 a. 102 ss. 20, 21, 36 to 59; 1991 a. 39, 238; 1993 a. 27, 29, 105, 183, 251, 399; 1997 a. 79, 191, 237; 1999 a. 7, 56; 2001 a. 109; 2005 a. 25.

14 **SECTION 106.** 146.50 (11) (f) to (13) of the statutes are renumbered 256.15 (11)
15 (f) to (13).

16 **SECTION 107.** 146.51 (title) of the statutes is renumbered 256.17 (title).

17 **SECTION 108.** 146.51 (1) (intro.) of the statutes is renumbered 256.17 (1)
18 (intro.).

19 **SECTION 109.** 146.51 (1) (a) of the statutes is renumbered 256.17 (1) (a) and
20 amended to read:

21 256.17 (1) (a) A license under s. 146.50 256.15 (5) (a).

History: 1997 a. 191; 1999 a. 9.

22 **SECTION 110.** 146.51 (1) (b) of the statutes is renumbered 256.17 (1) (b) and
23 amended to read:

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

History: 1997 a. 191; 1999 a. 9.

2 **SECTION 111.** 146.51 (1) (c) of the statutes is renumbered 256.17 (1) (c) and
3 amended to read:

4 256.17 (1) (c) A certification under s. ~~146.50~~ 256.15 (6g) (a) or (8) (a).

History: 1997 a. 191; 1999 a. 9.

5 **SECTION 112.** 146.51 (1m) to (3) of the statutes are renumbered 256.17 (1m) to
6 (3).

7 **SECTION 113.** 146.52 (title) of the statutes is renumbered 256.18 (title).

8 **SECTION 114.** 146.52 (1) (intro.) of the statutes is renumbered 256.18 (1)
9 (intro.).

10 **SECTION 115.** 146.52 (1) (a) of the statutes is renumbered 256.18 (1) (a) and
11 amended to read:

12 256.18 (1) (a) A license under s. ~~146.50~~ 256.15 (5) (a) or (7).

History: 1997 a. 237; 1999 a. 9.

13 **SECTION 116.** 146.52 (1) (b) of the statutes is renumbered 256.18 (1) (b) and
14 amended to read:

15 256.18 (1) (b) A training permit under s. ~~146.50~~ 256.15 (5) (b).

History: 1997 a. 237; 1999 a. 9.

16 **SECTION 117.** 146.52 (1) (c) of the statutes is renumbered 256.18 (1) (c) and
17 amended to read:

18 256.18 (1) (c) A certificate under s. ~~146.50~~ 256.15 (6g) (a) or (8) (a) or (f).

History: 1997 a. 237; 1999 a. 9.

19 **SECTION 118.** 146.52 (1m) to (5) of the statutes are renumbered 256.18 (1m) to
20 (5).

21 **SECTION 119.** 146.53 (title) of the statutes is renumbered 256.08 (title).

22 **SECTION 120.** 146.53 (1) (intro.) and (d) of the statutes are consolidated,
23 renumbered 256.08 (1) and amended to read:

256 (1)

1

256.08 (1) ~~DEFINITIONS~~ DEFINITION. In this section: "First", "first responder"

2

means a person who, as a condition of employment or as a member of an organization

3

that provides emergency medical care before hospitalization, provides emergency

4

medical care to a sick, disabled or injured individual before the arrival of an

5

ambulance, but who does not provide transportation for a patient. ✓

History: 1993 a. 251, 491; 1995 a. 247.

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SECTION 121. 146.53 (1) (a) of the statutes is repealed.

renumbered
256.01(4)

7 Fix component

7

SECTION 122. 146.53 (1) (b) of the statutes is ~~repealed~~.

8

SECTION 123. 146.53 (1) (c) of the statutes is repealed.

9

SECTION 124. 146.53 (1) (e) of the statutes is repealed.

10

SECTION 125. 146.53 (1) (f) of the statutes is repealed.

11

SECTION 126. 146.53 (2) to (3) of the statutes are renumbered 256.08 (2) to (3).

12

SECTION 127. 146.53 (4) of the statutes is renumbered 256.08 (4) and amended

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to read:

14

256.08 (4) **DEPARTMENTAL RULES; CONSULTATION.** The department shall consult

15

with the board before promulgating a proposed rule that relates to funding of

16

emergency medical services programs under s. 146.55 256.12 or to regulation of

17

emergency medical services.

History: 1993 a. 251, 491; 1995 a. 247.

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SECTION 128. 146.53 (5) of the statutes is renumbered 256.08 (5).

19

SECTION 129. 146.55 (title) of the statutes is renumbered 256.12 (title).

20

SECTION 130. 146.55 (1) (intro.) and (g) of the statutes are consolidated,

21

renumbered 256.12 (1) and amended to read:

22

256.12 (1) ~~DEFINITIONS~~ DEFINITION. In this section: "Public", "public agency" has

23

the meaning given in s. 146.50 256.15 (1) (n).

1 **SECTION 131.** 146.55 (1) (a) of the statutes is renumbered 256.01 (2) and
2 amended to read:

3 256.01 (2) "Ambulance service" means the business of transporting sick,
4 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (am), to or
5 from facilities or institutions providing health services.

History: 1989 a. 102 ss. 15 to 17, 23, 25, 26, 60; 1991 a. 39, 269; 1993 a. 16, 251, 399, 491; 1997 a. 27, 79; 2001 a. 16, 109; 2005 a. 25.

6 **SECTION 132.** 146.55 (1) (b) of the statutes is repealed.

7 **SECTION 133.** 146.55 (1) (d) of the statutes is repealed.

8 **SECTION 134.** 146.55 (1) (e) of the statutes is repealed.

9 **SECTION 135.** 146.55 (1) (f) of the statutes is repealed.

10 **SECTION 136.** 146.55 (2) to (2m) of the statutes are renumbered 256.12 (2) to
11 (2m).

12 **SECTION 137.** 146.55 (4) (title) of the statutes is renumbered 256.12 (4) (title).

13 **SECTION 138.** 146.55 (4) (a) of the statutes is renumbered 256.12 (4) (a) and
14 amended to read:

15 256.12 (4) (a) From the appropriation under s. 20.435 (5) (ch), the department
16 shall annually distribute funds for ambulance service vehicles or vehicle equipment,
17 emergency medical services supplies or equipment or emergency medical training
18 for personnel to an ambulance service provider that is a public agency, a volunteer
19 fire department or a nonprofit corporation, under a funding formula consisting of an
20 identical base amount for each ambulance service provider plus a supplemental
21 amount based on the population of the ambulance service provider's primary service
22 or contract area, as established under s. ~~146.50~~ 256.15 (5).

History: 1989 a. 102 ss. 15 to 17, 23, 25, 26, 60; 1991 a. 39, 269; 1993 a. 16, 251, 399, 491; 1997 a. 27, 79; 2001 a. 16, 109; 2005 a. 25.

23 **SECTION 139.** 146.55 (4) (b) of the statutes is renumbered 256.12 (4) (b).

24 **SECTION 140.** 146.55 (4) (c) of the statutes is renumbered 256.12 (4) (c).

1 **SECTION 141.** 146.55 (5) (title) of the statutes is renumbered 256.12 (5) (title).

2 **SECTION 142.** 146.55 (5) (a) of the statutes, as affected by 2005 Wisconsin Act
3 25, is renumbered 256.12 (5) (a) and amended to read:

4 256.12 (5) (a) From the appropriation under s. 20.435 (5) (ch), the department
5 shall annually distribute funds to ambulance service providers that are public
6 agencies, volunteer fire departments, or nonprofit corporations to purchase the
7 training required for licensure and renewal of licensure as an emergency medical
8 technician – basic under s. ~~146.50~~ 256.15 (6), and to pay for administration of the
9 examination required for licensure or renewal of licensure as an emergency medical
10 technician – basic under s. ~~146.50~~ 256.15 (6) (a) 3. and (b) 1.

History: 1989 a. 102 ss. 15 to 17, 23, 25, 26, 60; 1991 a. 39, 269; 1993 a. 16, 251, 399, 491; 1997 a. 27, 79; 2001 a. 16, 109; 2005 a. 25.

11 **SECTION 143.** 146.55 (5) (b) of the statutes, as created by 2005 Wisconsin Act
12 25, is renumbered 256.12 (5) (b).

13 **SECTION 144.** 146.55 (6) (title) of the statutes is renumbered 256.12 (6) (title).

14 **SECTION 145.** 146.55 (6) (a) of the statutes is renumbered 256.12 (6) (a) and
15 amended to read:

16 256.12 (6) (a) In this subsection, “person” has the meaning specified in s. ~~146.50~~
17 256.15 (1) (L).

History: 1989 a. 102 ss. 15 to 17, 23, 25, 26, 60; 1991 a. 39, 269; 1993 a. 16, 251, 399, 491; 1997 a. 27, 79; 2001 a. 16, 109; 2005 a. 25.

18 **SECTION 146.** 146.55 (6) (b) of the statutes is renumbered 256.12 (6) (b).

19 **SECTION 147.** 146.55 (7) of the statutes is renumbered 256.12 (7) and amended
20 to read:

21 256.12 (7) **INSURANCE.** A physician who participates in an emergency medical
22 services program under this section or as required under s. ~~146.50~~ 256.15 shall
23 purchase health care liability insurance in compliance with subch. III of ch. 655,
24 except for those acts or omissions of a physician who, as a medical director, reviews

Plain

1 the performance of emergency medical technicians or ambulance service providers,
2 as specified under s. 146.37 (1g).

3 History: 1989 a. 102 ss. 15 to 17, 23, 25, 26, 60; 1991 a. 39, 269; 1993 a. 16, 251, 399, 491; 1997 a. 27, 79; 2001 a. 16, 109; 2005 a. 25.

3 **SECTION 148.** 146.55 (8) of the statutes is renumbered 256.12 (8).

4 **SECTION 149.** 146.56 of the statutes is renumbered 256.25.

5 **SECTION 150.** 146.57 (title) of the statutes is renumbered 255.35 (title).

6 **SECTION 151.** 146.57 (1m) (intro.) of the statutes is renumbered 255.35 (1m)
7 (intro.).

8 **SECTION 152.** 146.57 (1m) (a) (intro.) of the statutes is renumbered 255.35 (1m)
9 (a) (intro.).

10 **SECTION 153.** 146.57 (1m) (a) 1. of the statutes is renumbered 255.35 (1m) (a)
11 1. and amended to read:

12 255.35 (1m) (a) 1. Licensure as an emergency medical technician – basic,
13 emergency medical technician – intermediate or emergency medical technician –
14 paramedic under s. 146.50 256.15 (5) (a).

15 History: 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9.

15 **SECTION 154.** 146.57 (1m) (a) 2. to (4) of the statutes are renumbered 255.35
16 (1m) (a) 2. to (4).

17 **SECTION 155.** 146.58 (title) of the statutes is renumbered 256.04 (title).

18 **SECTION 156.** 146.58 (intro.) to (6) of the statutes are renumbered 256.04
19 (intro.) to (6).

20 **SECTION 157.** 146.58 (7) of the statutes, as affected by 2005 Wisconsin Act 25,
21 is renumbered 256.04 (7) and amended to read:

22 256.04 (7) Advise, make recommendations to, and consult with the department
23 concerning the funding under s. ~~146.55~~ 256.12 (4) and (5), including recommending

1 a formula for allocating funds among ambulance service providers under s. [✓]146.55
2 256.12 (5).

3 History: 1993 a. 16 ss. 2578f, 2578g, 2578p; 1995 a. 225; 1997 a. 27; 2005 a. 25.

3 **SECTION 158.** 146.58 (8) of the statutes is renumbered 256.04 (8).

4 **SECTION 159.** 146.70 (title) [✓] of the statutes is renumbered 256.35 (title).

5 **SECTION 160.** 146.70 (1) to (2) (a) [✓] of the statutes are renumbered 256.35 (1) to
6 (2) (a).

7 **SECTION 161.** 146.70 (2) (b) [✓] of the statutes is renumbered 256.35 (2) (b) and
8 amended to read:

9 256.35 (2) (b) Every basic or sophisticated system established under this
10 section shall be capable of transmitting requests for law enforcement, fire fighting
11 and emergency medical and ambulance services to the public safety agencies
12 providing such services. Such system may provide for transmittal of requests for
13 poison control to the appropriate regional poison control center under s. [✓]146.57
14 255.35, suicide prevention and civil defense services and may be capable of
15 transmitting requests to ambulance services provided by private corporations. If
16 any agency of the state which provides law enforcement, fire fighting, emergency
17 medical or ambulance services is located within the boundaries of a basic or
18 sophisticated system established under this section, such system shall be capable of
19 transmitting requests for the services of such agency to the agency.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

20 **SECTION 162.** 146.70 (2) (c) to (3m) (c) of the statutes are renumbered 256.35
21 (2) (c) to (3m) (c).

22 **SECTION 163.** 146.70 (3m) (d) (title) [✓] of the statutes is renumbered 256.35 (3m)
23 (d) (title).

1 **SECTION 164.** 146.70 (3m) (d) 1. to 1e. of the statutes ^{are} is renumbered 256.35 (3m)
2 (d) 1. to 1e.

3 **SECTION 165.** 146.70 (3m) (d) 1g. of the statutes, as affected by 2005 Wisconsin
4 Act 25, is renumbered 256.35 (3m) (d) 1g.

5 **SECTION 166.** 146.70 (3m) (d) 1r. to (11) of the statutes are renumbered 256.35
6 (3m) (d) 1r. to (11).

7 **SECTION 167.** 146.82 (1) of the statutes is amended to read:

8 146.82 (1) CONFIDENTIALITY. All patient health care records shall remain
9 confidential. Patient health care records may be released only to the persons
10 designated in this section or to other persons with the informed consent of the patient
11 or of a person authorized by the patient. This subsection does not prohibit reports
12 made in compliance with s. ~~146.995~~, 253.12 (2), 255.40, or 979.01; testimony
13 authorized under s. 905.04 (4) (h); or releases made for purposes of health care
14 operations, as defined in 45 CFR 164.501, and as authorized under 45 CFR 164,
15 subpart E.

History: 1979 c. 221; 1983 a. 398; 1985 a. 29, 241, 332, 340; 1987 a. 40, 70, 127, 215, 233, 380, 399; 1989 a. 31, 102, 334, 336; 1991 a. 39; 1993 a. 16, 27, 445, 479; 1995 a. 98, 169, 417; 1997 a. 35, 114, 231, 272, 292, 305; 1999 a. 32, 78, 83, 114, 151; 2001 a. 38, 59, 69, 105; 2003 a. 281.

16 **SECTION 168.** 146.82 (2) (a) 2. (intro.) of the statutes is amended to read:

17 146.82 (2) (a) 2. (intro.) To the extent that performance of their duties requires
18 access to the records, to a health care provider or any person acting under the
19 supervision of a health care provider or to a person licensed under s. ~~146.50~~ 256.15,
20 including medical staff members, employees or persons serving in training programs
21 or participating in volunteer programs and affiliated with the health care provider,
22 if any of the following is applicable:

History: 1979 c. 221; 1983 a. 398; 1985 a. 29, 241, 332, 340; 1987 a. 40, 70, 127, 215, 233, 380, 399; 1989 a. 31, 102, 334, 336; 1991 a. 39; 1993 a. 16, 27, 445, 479; 1995 a. 98, 169, 417; 1997 a. 35, 114, 231, 272, 292, 305; 1999 a. 32, 78, 83, 114, 151; 2001 a. 38, 59, 69, 105; 2003 a. 281.

23 **SECTION 169.** 146.995 of the statutes is renumbered 255.40.

1 **SECTION 170.** 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 History: 1999 a. 176, 186; 2001 a. 38, 70, 74, 89, 105; 2003 a. 33; 2005 a. 22.

4 **SECTION 171.** 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 History: 1995 a. 200; 1997 a. 27; 1999 a. 9.

7 **SECTION 172.** 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)~~
9 256.08 (1).

10 History: 1995 a. 200; 1997 a. 27; 1999 a. 9.

10 **SECTION 173.** 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.

History: 1971 c. 125 s. 522 (1); 1971 c. 215; 1973 c. 333; 1975 c. 81, 199; 1977 c. 29 s. 1656 (27); 1977 c. 187, 260, 273, 344; 1981 c. 20, 62, 96; 1983 a. 27; 1983 a. 36 s. 96 (2), (3), (4); 1983 a. 192; 1985 a. 29, 66; 1987 a. 416; 1989 a. 31, 115, 187, 206, 359; 1991 a. 25, 39, 269; 1993 a. 27, 28, 365; 1995 a. 27 ss. 4453 to 4454m, 9126 (19); 1995 a. 201; 1997 a. 27, 111; 2001 a. 16; 2003 a. 111, 235; 2005 a. 96.

15 **SECTION 174.** 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).

History: 1973 c. 90, 333; 1975 c. 94 s. 91 (11); 1977 c. 29, 418; 1979 c. 111; 1981 c. 20; 1983 a. 27; 1985 a. 29, 260; 1987 a. 237, 366, 394; 1989 a. 31, 291; 1991 a. 39; 1993 a. 16, 167, 213, 399, 407, 460, 482, 491; 1995 a. 201, 225, 349; 1997 a. 27, 88, 191; 1999 a. 9; 2001 a. 16, 109; 2005 a. 60.

18 **SECTION 175.** 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 History: 1993 a. 18.

20 **SECTION 176.** 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 History: 1991 a. 268, 269, 315; 1993 a. 496; 1999 a. 185.

22 **SECTION 177.** 233.04 (10) of the statutes is amended to read:

1 233.04 (10) Operate a poison control center under s. ~~146.57~~ 255.35. If
2 Children's Hospital of Wisconsin in the city of Milwaukee ceases to operate a poison
3 control center under s. ~~146.57~~ 255.35, the authority shall administer a statewide
4 poison control program.

History: 1995 a. 27 ss. 1770g, 6301; 1995 a. 216; 1997 a. 35, 237; 2001 a. 105.

5 **SECTION 178.** 250.01 (intro.) of the statutes is amended to read:

6 **250.01 Definitions.** (intro.) In chs. 250 to ~~255~~ 256, unless the context requires
7 otherwise:

History: 1993 a. 27 ss. 162, 322, 449; 1995 a. 27 s. 9126 (19); 1999 a. 9, 22; 2001 a. 16, 109; 2003 a. 158.

8 **SECTION 179.** 250.20 of the statutes is created to read:

9 **250.20 Health disparities reduction or elimination.** (2) DEPARTMENTAL

10 DUTIES; MINORITY HEALTH.

11 (3) MINORITY HEALTH GRANTS.

12 (4) PUBLIC INFORMATION CAMPAIGN GRANT.

13 **SECTION 180.** 251.04 (10) of the statutes is created to read:

14 251.04 (10) A local board of health may establish requirements for a public
15 health educator for the local health department.

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

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

History: 1993 a. 27; 2001 a. 109.

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

22 251.05 (1) (b) As a Level II local health department, at least the level of services
23 specified in sub. (2) (b) with a local health officer who at least meets the qualifications

1 specified in s. 251.06 (1) (b) [✓] or with a person who meets the qualifications specified
2 in s. 251.06 (1m).

3 History: 1993 a. 27; 2001 a. 109.
4 **SECTION 183.** 251.05 (1) (c) [✓] of the statutes is amended to read:
5 251.05 (1) (c) As a Level III local health department, at least the level of
6 services specified in sub. (2) (c) with a local health officer who at least meets the
7 qualifications specified in s. 251.06 (1) (c) [✓] or with a person who meets the
8 qualifications specified in s. 251.06 (1m).

9 History: 1993 a. 27; 2001 a. 109.
10 **SECTION 184.** 251.05 (3) (c) [✓] of the statutes is amended to read:
11 251.05 (3) (c) Involve key policymakers and the general public in determining
12 development of a community health improvement plan, including determination of
13 a set of high priority public health services and assure assurance of access to these
14 services to every member of the community, based on the needs of the community.

15 History: 1993 a. 27; 2001 a. 109.
16 **SECTION 185.** 251.06 (1m) [✓] of the statutes is repealed.

17 **SECTION 186.** 251.06 (3) (e) [✓] of the statutes is amended to read:
18 251.06 (3) (e) Appoint all necessary subordinate personnel, assure that they
19 meet appropriate qualifications and have supervisory power over all subordinate
20 personnel. Any public health nurses and sanitarians hired for the local health
21 department shall meet any qualification requirements established in rules
22 promulgated by the department. "Subordinate personnel" [✓] under this paragraph
may include a public health educator who meets requirements under s. 251.04 (10)
and a certified dietitian, as defined in s. 448.70 (1m).

History: 1993 a. 27 ss. 203, 209, 266, 465; 1993 a. 106; 1995 a. 201; 1997 a. 114; 1999 a. 9; 2003 a. 158.
SECTION 187. 251.07 of the statutes is created to read:

1 **251.07 Certain physicians; state agency status.** A physician who is not an
 2 employee of the local health department and who provides services, without
 3 compensation, for those programs and services provided by a local health
 4 department that require medical oversight is, for the provision of the services he or
 5 she provides, a state agent of the department of health and family services for the
 6 purposes of ss. 165.25 (6), 893.82 (3), and 895.46.

7 **SECTION 188.** 252.14 (1) (ar) 13. of the statutes is amended to read:
 8 252.14 (1) (ar) 13. An emergency medical technician licensed under s. ~~146.50~~
 9 256.15 (5).

History: 1989 a. 201; 1991 a. 32, 39, 160, 189, 269, 315; 1993 a. 27 ss. 326 to 331; Stats. 1993 s. 252.14; 1993 a. 105, 190, 252, 443; 1993 a. 490 s. 143; 1993 a. 491, 495; 1995 a. 27 ss. 6322, 9145 (1); 1997 a. 27, 35, 67, 75, 175; 1999 a. 9, 32, 180; 2001 a. 70, 80, 89; 2005 a. 22.

10 **SECTION 189.** 252.15 (1) (af) of the statutes is amended to read:
 11 252.15 (1) (af) "Emergency medical technician" has the meaning given in s.
 12 ~~146.50~~ (1) (e) 256.01 (5).

History: 1985 a. 29, 73, 120; 1987 a. 70 ss. 13 to 27, 36; 1987 a. 403 ss. 136, 256; 1989 a. 200; 1989 a. 201 ss. 11 to 25, 36; 1989 a. 298, 359; 1991 a. 269; 1993 a. 16 s. 2567; 1993 a. 27 ss. 332, 334, 337, 340, 342; Stats. 1993 s. 252.15; 1993 a. 32, 183, 190, 252, 395, 491; 1995 a. 27 ss. 6323, 9116 (5), 9126 (19); 1995 a. 77, 275; 1997 a. 54, 80, 156, 188; 1999 a. 9, 32, 79, 151, 162, 188; 2001 a. 38, 59, 69, 74, 103, 105; 2003 a. 271.

INSERT 7-16

13 **SECTION 190.** 255.06 (3) of the statutes is amended to read:
 14 255.06 (3) **SERVICE COORDINATION.** The department shall coordinate the services
 15 provided under this section with the services provided under the minority health
 16 program under s. ~~146.185~~ 250.20 (2) to (4), to ensure that disparities in the health
 17 of women who are minority group members are adequately addressed.

History: 1991 a. 39 s. 3709, 3710, 3711; Stats. 1991 s. 146.0275; 1991 a. 269; 1993 a. 16; 1993 a. 27 s. 345; Stats. 1993 s. 255.06; 1995 a. 27; 1997 a. 27, 79; 2001 a. 16, 107, 109; 2003 a. 33; 2005 a. 25.

18 **SECTION 191.** Chapter 256 of the statutes is created to read:

CHAPTER 256

EMERGENCY MEDICAL SERVICES

19 **256.01 DEFINITIONS.**

20 **(10)** "Hospital" has the meaning given in s. ~~50.35~~ (2).

21

22

50.33 (2)



1 **SECTION 192.** 340.01 (3) (dm) 2. ✓ of the statutes is amended to read:

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

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 287, 192, 320, 321.

5 **SECTION 193.** 343.23 (2) (a) 1. of the statutes is amended to read:

6 343.23 (2) (a) 1. The person's employment as a law enforcement officer as
7 defined in s. 165.85 (2) (c), fire fighter as defined in s. 102.475 (8) (b), or emergency
8 medical technician as defined in s. ~~146.50 (1) (e)~~ 256.01 (5). ✓

History: 1977 c. 29 s. 1654 (7) (a), (c); 1977 c. 273; 1979 c. 331; 1981 c. 178; 1983 a. 74; 1987 a. 3; 1989 a. 31, 105, 133, 359; 1991 a. 277; 1993 a. 65; 1995 a. 113, 184, 338; 1997 a. 35, 84, 237; 1999 a. 32, 109; 2001 a. 38, 109; 2003 a. 30, 33, 280, 320.

9 **SECTION 194.** 343.23 (2) (a) 3. of the statutes is amended to read:

10 343.23 (2) (a) 3. The licensee's performance of duties as a first responder, as
11 defined in s. ~~146.53 (1) (d)~~ 256.08 (1). ✓

History: 1977 c. 29 s. 1654 (7) (a), (c); 1977 c. 273; 1979 c. 331; 1981 c. 178; 1983 a. 74; 1987 a. 3; 1989 a. 31, 105, 133, 359; 1991 a. 277; 1993 a. 65; 1995 a. 113, 184, 338; 1997 a. 35, 84, 237; 1999 a. 32, 109; 2001 a. 38, 109; 2003 a. 30, 33, 280, 320.

12 **SECTION 195.** 440.98 (3) of the statutes is amended to read:

13 440.98 (3) **SANITARIANS; EMPLOYMENT OR CONTRACTUAL SERVICES.** Any agency of
14 the state may employ or contract for the services of sanitarians, registered under this
15 section, who shall enforce the public health statutes under chs. 250 to ~~255~~ 256 or
16 rules promulgated under those statutes.

History: 1975 c. 414 s. 28; 1977 c. 29, 418; 1983 a. 189; 1985 a. 182 s. 57; 1987 a. 27; 1993 a. 27 s. 223; Stats. 1993 s. 250.05; 1997 a. 191, 237; 1999 a. 9; 2005 a. 25 ss. 2120 to 2128; Stats. 2005 s. 440.70; 2005 a. 25 ss. 2121 to 2130, 2336m, 2337; s. 13.93 (1) (b).

17 **SECTION 196.** 893.82 (2) (d) 1r. of the statutes is amended to read:

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

History: 1973 c. 333; 1977 c. 29; 1979 c. 221; 1979 c. 323 s. 30; 1979 c. 355; Stats. 1979 s. 893.82; 1983 a. 27; 1985 a. 66, 340; 1987 a. 342; 1987 a. 403 s. 256; 1989 a. 187, 206, 359; 1991 a. 39, 269; 1993 a. 27, 28; 1995 a. 158, 201; 1997 a. 133; 2003 a. 111; 2005 a. 96.

19 **SECTION 197.** 895.35 (2) (a) 2. of the statutes, as created by 2005 Wisconsin Act
20 73, is amended to read:



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

History: 1971 c. 154; 1993 a. 399, 486; 2005 a. 73.

4 **SECTION 198.** 895.46 (5) (b) of the statutes is amended to read:

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

History: 1973 c. 333; Sup. Ct. Order, 67 Wis. 2d 585, 761 (1975); Stats. 1975 s. 895.45; 1975 c. 81, 198, 199; Stats. 1975 s. 895.46; 1977 c. 29; 1979 c. 74, 221; 1981 c. 20; 1981 c. 96 s. 67; 1981 c. 314 s. 136; 1983 a. 6; 1983 a. 27 s. 2202 (32); 1985 a. 29, 66; 1987 a. 342; 1987 a. 403 s. 256; 1989 a. 31, 115, 187, 206, 359; 1991 a. 245, 269; 1993 a. 27, 28, 49, 238, 456, 490; 1995 a. 201, 227, 411; 1997 a. 35; 1999 a. 185; 2003 a. 111; 2005 a. 96.

6 **SECTION 199.** 895.48 (1m) (intro.) of the statutes is amended to read:

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

History: 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74; 2003 a. 33.

18 **SECTION 200.** 895.48 (4) (a) (intro.) of the statutes is amended to read:

19 895.48 (4) (a) (intro.) Any of the following who meets the applicable
20 requirements of s. 146.50 256.15 (8g) and who acts within the applicable limitations
21 of s. 146.50 256.15 (8g) is immune from civil liability for the acts or omissions of a
22 person in rendering in good faith emergency care by use of a semiautomatic



plain

1 defibrillator under s. ~~146.50~~ 256.15 (8g) to an individual who appears to be in cardiac
2 arrest:

3 **History:** 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74; 2003 a. 33.
4 **SECTION 201.** 895.48 (4) (a) 2. of the statutes is amended to read:

5 895.48 (4) (a) 2. The owner of the semiautomatic defibrillator, as specified in
6 s. ~~146.50~~ 256.15 (8g) (c).

7 **History:** 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74; 2003 a. 33.
8 **SECTION 202.** 895.48 (4) (a) 3. of the statutes is amended to read:

9 895.48 (4) (a) 3. The person who provides the semiautomatic defibrillator for
10 use, as specified in s. ~~146.50~~ 256.15 (8g) (c).

11 **History:** 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74; 2003 a. 33.
12 **SECTION 203.** 895.48 (4) (a) 4. of the statutes is amended to read:

13 895.48 (4) (a) 4. The provider of training required under s. ~~146.50~~ 256.15 (8g)
14 (b).

15 **History:** 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74; 2003 a. 33.
16 **SECTION 204.** 905.04 (4) (h) of the statutes is amended to read:

17 905.04 (4) (h) *Reporting wounds and burn injuries.* There is no privilege
18 regarding information contained in a report under s. ~~146.995~~ 255.40 pertaining to
19 a patient's name and type of wound or burn injury.

20 **History:** Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis.
21 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.
22 **SECTION 205.** 940.20 (7) (a) 1e. of the statutes is amended to read:

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

History: 1977 c. 173; 1979 c. 30, 113, 221; 1981 c. 118 s. 9; 1983 a. 189 s. 329 (4); 1989 a. 336; 1993 a. 54, 164, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 145, 225, 343;
1997 a. 35, 143, 283; 1999 a. 85; 2001 a. 109.
19 **SECTION 206.** 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).

History: 1977 c. 173; 1979 c. 30, 113, 221; 1981 c. 118 s. 9; 1983 a. 189 s. 329 (4); 1989 a. 336; 1993 a. 54, 164, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 145, 225, 343;
1997 a. 35, 143, 283; 1999 a. 85; 2001 a. 109.
22 **SECTION 207.** 940.20 (7) (a) 2m. of the statutes is amended to read:



1 940.20 (7) (a) 2m. "First responder" has the meaning given in s. ~~146.53 (1) (d)~~
2 256.08 (1). ✓

History: 1977 c. 173; 1979 c. 30, 113, 221; 1981 c. 118 s. 9; 1983 a. 189 s. 329 (4); 1989 a. 336; 1993 a. 54, 164, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 145, 225, 343; 1997 a. 35, 143, 283; 1999 a. 85; 2001 a. 109.

3 **SECTION 208.** 941.20 (1m) (a) 1. of the statutes is amended to read:

4 941.20 (1m) (a) 1. "Ambulance" has the meaning given in s. ~~146.50 (1) (am)~~
5 256.01 (1). ✓

History: 1977 c. 173; 1987 a. 399; 1989 a. 131; 1993 a. 94, 486; 1997 a. 248, 249; 1999 a. 32; 2001 a. 109; 2003 a. 97, 190.

6 **SECTION 209.** 941.20 (1m) (a) 2. of the statutes is amended to read:

7 941.20 (1m) (a) 2. "Emergency medical technician" has the meaning given in
8 s. ~~146.50 (1) (e)~~ 256.01 (5). ✓

History: 1977 c. 173; 1987 a. 399; 1989 a. 131; 1993 a. 94, 486; 1997 a. 248, 249; 1999 a. 32; 2001 a. 109; 2003 a. 97, 190.

9 **SECTION 210.** 941.20 (1m) (a) 3. of the statutes is amended to read:

10 941.20 (1m) (a) 3. "First responder" has the meaning given in s. ~~146.53 (1) (d)~~
11 256.08 (1). ✓

History: 1977 c. 173; 1987 a. 399; 1989 a. 131; 1993 a. 94, 486; 1997 a. 248, 249; 1999 a. 32; 2001 a. 109; 2003 a. 97, 190.

12 **SECTION 211.** 941.37 (1) (a) of the statutes is amended to read:

13 941.37 (1) (a) "Ambulance" has the meaning specified in s. ~~146.50 (1) (am)~~
14 256.01 (1). ✓

History: 1983 a. 515; 1989 a. 102; 1999 a. 56; 2001 a. 109.

15 **SECTION 212.** 941.37 (1) (c) of the statutes is amended to read:

16 941.37 (1) (c) "Emergency medical personnel" means an emergency medical
17 technician licensed under s. ~~146.50~~ 256.15, first responder certified under s. ~~146.50~~
18 256.15 (8), peace officer or fire fighter, or other person operating or staffing an
19 ambulance or an authorized emergency vehicle.

History: 1983 a. 515; 1989 a. 102; 1999 a. 56; 2001 a. 109.

20 **SECTION 213.** 941.375 (1) (a) of the statutes is amended to read:

21 941.375 (1) (a) "Ambulance" has the meaning specified in s. ~~146.50 (1) (am)~~
22 256.01 (1). ✓

History: 2003 a. 190.



1 **SECTION 214.** 941.375 (1) (b) of the statutes is amended to read:

2 941.375 (1) (b) "Public safety worker" means an emergency medical technician
3 licensed under s. ~~146.50~~ 256.15, a first responder certified under s. ~~146.50~~ 256.15 (8),
4 a peace officer, a fire fighter, or a person operating or staffing an ambulance.

5 History: 2003 a. 190.

5 **SECTION 215. Initial applicability.**

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

9 (2) MAINTENANCE OF A HUMAN HEALTH HAZARD. The treatment of sections
10 254.01 (2) and 254.59 (1), (2), (3), (3m), (4), and (8) (b) of the statutes first applies to
11 maintenance of a human health hazard on the effective date of this subsection.

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

15

(end ins 7-16)

D-NOTE

To Representative Hines:

Shouldn't s. 146.37[✓] be renumbered into

ch. 256?[✓]

DAK



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3615/1dn
DAK:jld:jf

February 20, 2006

To Representative Hines:

Shouldn't s. 146.37 be renumbered into ch.256?

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us