



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2011 SENATE BILL 45**

1 **AN ACT** *to renumber and amend* 118.29 (6); *to amend* 115.001 (11), 118.29 (2)
2 (a) 1. a. and 118.29 (2) (a) 2.; and *to create* 118.29 (6) (a) 1., 2., 3., 4., 5. and 6.
3 and 118.29 (6) (c) of the statutes; **relating to:** administration of medication to
4 pupils.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 115.001 (11) of the statutes is amended to read:
6 115.001 **(11)** SCHOOL NURSE. "School nurse" means a registered nurse licensed
7 under s. 441.06 ch. 441 or in a party state, as defined in s. 441.50 (2) (j), who also
8 ~~meets the qualifications for school nurses prescribed by the department by rule~~
9 submits evidence satisfactory to the department that he or she has successfully

1 completed a course, determined to be satisfactory to the department, in public health
2 or community health.

3 **SECTION 4.** 118.29 (2) (a) 1. a. of the statutes, as affected by 2009 Wisconsin Act
4 160, is amended to read:

5 118.29 **(2)** (a) 1. a. Except as provided in subd. 1. b., may administer any
6 nonprescription drug product which may lawfully be sold over the counter without
7 a prescription to a pupil in compliance with the written instructions of the pupil's
8 parent or guardian if the pupil's parent or guardian consents in writing, If the
9 nonprescription drug product is supplied by the pupil's parent or guardian, the
10 nonprescription drug product shall be supplied in the original manufacturer's
11 package, and the package lists must list the ingredients and recommended
12 therapeutic dose in a legible format.

13 **SECTION 5.** 118.29 (2) (a) 2. of the statutes, as affected by 2009 Wisconsin Act
14 160, is amended to read:

15 118.29 **(2)** (a) 2. May administer a prescription drug to a pupil in compliance
16 with the written instructions of a practitioner if the pupil's parent or guardian
17 consents in writing; the prescription drug is supplied ~~by the pupil's parent or~~
18 ~~guardian~~ in the original pharmacy-labeled package; and the package specifies the
19 name of the pupil, the name of the prescriber, the name of the prescription drug, the
20 dose, the effective date, and the directions in a legible format.

21 **SECTION 6.** 118.29 (6) of the statutes, as created by 2009 Wisconsin Act 160, is
22 renumbered 118.29 (6) (a) (intro.) and amended to read:

23 118.29 **(6)** (a) (intro.) Notwithstanding sub. (2) (a) 1. to 2r., and subject to pars.
24 (b) and (c), no school bus driver, employee, or volunteer may administer ~~a~~ any of the
25 following nonprescription drug product products or prescription drug under sub. ~~(2)~~

1 ~~(a) 1. or 2., use an epinephrine auto-injector under sub. (2) (a) 2m., or administer~~
2 ~~glucagon under sub. (2) (a) 2r. drugs unless he or she has received training, approved~~
3 ~~by the department, in administering these nonprescription drug products and~~
4 ~~prescription drugs.:~~

5 (b) This subsection does not apply to health care professionals.

6 **SECTION 7.** 118.29 (6) (a) 1., 2., 3., 4., 5. and 6. of the statutes are created to read:

7 118.29 **(6)** (a) 1. A nonprescription drug product or prescription drug product
8 that must be injected into a pupil.

9 2. A nonprescription drug product or prescription drug product that must be
10 inhaled by a pupil.

11 3. A nonprescription drug product or prescription drug product that must be
12 rectally administered to a pupil.

13 4. A nonprescription drug product or prescription drug product that must be
14 administered into a nasogastric tube.

15 5. A nonprescription drug product or prescription drug product that must be
16 administered into a gastrostomy tube.

17 6. A nonprescription drug product or prescription drug product that must be
18 administered into a jejunostomy tube.

19 **SECTION 7m.** 118.29 (6) (c) of the statutes is created to read:

20 118.29 **(6)** (c) The training required under par. (a) need not be approved by the
21 department when the training is completed by a school bus driver that transports
22 only pupils enrolled in a private school, an employee of a private school, or a
23 volunteer in or for a private school.

24

(END)