



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 85
[2011 Senate Bill 204]

**Epinephrine Auto-Injectors in
Schools**

2011 Wisconsin Act 85 permits a pupil of a public, private, or tribal school to possess and use an epinephrine auto-injector while in school, at a school-sponsored activity, or under the supervision of a school authority, if the pupil uses the injector to prevent the onset or alleviate the symptoms of an emergency situation. An emergency situation is a situation in which a pupil reasonably believes that he or she is experiencing a severe allergic reaction, including anaphylaxis, which requires the administration of epinephrine to avoid severe injury or death.

The Act requires the pupil to obtain the written approval of the pupil's physician and, if the pupil is a minor, the written approval of the pupil's parent or guardian. The pupil must give the school principal a copy of the approval or approvals.

The Act provides a liability exemption related to the use of epinephrine auto-injectors as authorized under the Act. Specifically, the Act provides that no public, private, or tribal school or employee, school district, or school board is civilly liable for an injury incurred by either of the following: (a) a pupil as a result of using an epinephrine auto-injector as authorized by the Act; or (b) incurred by any person as a result of a pupil possessing or using an epinephrine auto-injector.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.