

January 2017 Special Session Assembly Bill 1 (LRB -1026)

An Act to amend 118.29 (title) and 118.29 (2) (a) 3.; and to create 118.29 (1) (dr), 118.29 (1) (dt) and 118.29 (2) (a) 2g. of the statutes; relating to: emergency administration of opioid antagonist to pupils and other persons.

2017

02-17.	A.	Introduced by Committee on Assembly Organization , Representatives Nygren, Novak, E. Brooks, Bernier, Petryk, Edming, Krug, Petersen, Jagler, Felzkowski, Skowronski, Quinn, Steffen, Kremer, Ripp, Swearingen, Kleefisch, Mursau, Tittl, Horlacher, Rohrkaste, Billings, Ohnstad, Kolste, Rodriguez, Born, VanderMeer, Loudenbeck, Murphy, Ballweg, Tranel, Fields, Kulp, Vruwink, Sargent, Subeck, Spreitzer, Brostoff, Doyle, C. Taylor, Tusler, Zepnick, Sinicki, Hutton, Allen, Spiros, Zamarripa, Knodl and Jacque ; cosponsored by Senators Vukmir, Harsdorf, Craig, Darling, Olsen, Marklein, Lasee, Feyen, Wanggaard, Testin, Cowles, L. Taylor and Carpenter , by request of Governor Scott Walker.	57
02-17.	A.	Read first time and referred to Committee on Criminal Justice and Public Safety	57
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03-07.	A.	Assembly Amendment 1 offered by Representatives Billings and Spiros (LRB a0063)	89
03-07.	A.	Assembly Amendment 1 to Assembly Amendment 1 offered by Representatives Billings and Spiros (LRB a0113)	89
03-09.	A.	Executive action taken	
03-16.	A.	Report Assembly Amendment 1 to Assembly Amendment 1 adoption recommended by Committee on Criminal Justice and Public Safety, Ayes 12, Noes 0	108
03-16.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Criminal Justice and Public Safety, Ayes 12, Noes 0	108
03-16.	A.	Report passage as amended recommended by Committee on Criminal Justice and Public Safety, Ayes 12, Noes 0	108
03-16.	A.	Referred to committee on Rules	108
03-30.	A.	Referred to calendar of 4-4-2017 pursuant to Assembly Rule 93	
04-04.	A.	Read a second time	138
04-04.	A.	Assembly Amendment 1 to Assembly Amendment 1 adopted	138
04-04.	A.	Assembly Amendment 1 adopted	138
04-04.	A.	Assembly Amendment 2 offered by Representatives Kolste and Subeck (LRB a0252)	138
04-04.	A.	Point of order that Assembly Amendment 2 not germane under Assembly Rule 54 (3)(f) well taken	138
04-04.	A.	Decision of the Chair appealed	138
04-04.	A.	Decision of the Chair upheld, Ayes 63, Noes 34	138
04-04.	A.	Ordered to a third reading	138
04-04.	A.	Rules suspended	138
04-04.	A.	Read a third time and passed	139
04-04.	A.	Ordered immediately messaged	139
04-05.	S.	Received from Assembly	182
04-05.	S.	Read first time and referred to committee on Health and Human Services	182
04-06.	S.	Public hearing held	
04-06.	S.	Executive action taken	
04-26.	S.	Report concurrence recommended by Committee on Health and Human Services, Ayes 5, Noes 0	217
04-26.	S.	Available for scheduling	
04-28.	S.	Placed on calendar 5-2-2017 pursuant to Senate Rule 18(1)	221
05-02.	S.	Read a second time	
05-02.	S.	Ordered to a third reading	
05-02.	S.	Rules suspended	
05-02.	S.	Read a third time and concurred in , Ayes 32, Noes 0	
05-02.	S.	Ordered immediately messaged	
05-02.	A.	Received from Senate concurred in	

MB

Jan 2017 Spec Session

(17en A B-1)



2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17-1026 / 2

Amendments: None or Listed below.

AA1

(20063/1)

AA1 to AA1

(20113/1)

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

5/3/17

[Signature]

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRB-1026/2
TKK:jld&wlj

ASSEMBLY BILL 1

February 17, 2017 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION, Representatives NYGREN, NOVAK, E. BROOKS, BERNIER, PETRYK, EDMING, KRUG, PETERSEN, JAGLER, FELZKOWSKI, SKOWRONSKI, QUINN, STEFFEN, KREMER, RIPP, SWEARINGEN, KLEEFISCH, MURSAU, TITTL, HORLACHER, ROHRKASTE, BILLINGS, OHNSTAD, KOLSTE, RODRIGUEZ, BORN, VANDERMEER, LOUDENBECK, MURPHY, BALLWEG, TRANEL, FIELDS, KULP, VRUWINK, SARGENT, SUBECK, SPREITZER, BROSTOFF, DOYLE, C. TAYLOR, TUSLER, ZEPNICK, SINICKI, HUTTON, ALLEN, SPIROS, ZAMARRIPA, KNODL and JACQUE, cosponsored by Senators VUKMIR, HARSDORF, CRAIG, DARLING, OLSEN, MARKLEIN, LASEE, FEYEN, WANGGAARD, TESTIN, COWLES, L. TAYLOR and CARPENTER, by request of Governor Scott Walker. Referred to Committee on Criminal Justice and Public Safety.

1 AN ACT to amend 118.29 (title) and 118.29 (2) (a) 3.; and to create 118.29 (1) (dr),
2 118.29 (1) (dt) and 118.29 (2) (a) 2g. of the statutes; relating to: emergency
3 administration of opioid antagonist to pupils and other persons. INS AA 1

Analysis by the Legislative Reference Bureau

This bill exempts a school bus operator, a public, private, or tribal school, Cooperative Educational Service Agency, or County Children with Disabilities Education Board employee, or a volunteer authorized in writing by a school, CESA, or CCDEB administrator or principal from civil liability for his or her acts or omissions in administering an opioid antagonist to a pupil or other person who appears to be undergoing an opioid-related drug overdose. The person who administers the opioid antagonist must, as soon as practicable, report the drug overdose by calling "911" or, if "911" is not available, the telephone number for an emergency medical service provider.

Under current law, any of the persons authorized above may, similarly, use an epinephrine auto-injector to administer epinephrine to any pupil who appears to be experiencing a severe allergic reaction and administer glucagon to any pupil who the person knows is diabetic and who appears to be experiencing a severe low blood sugar event with altered consciousness, provided the person reports the allergic reaction or low blood sugar event.

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

1 **SECTION 1.** 118.29 (title) of the statutes is amended to read:

2 **118.29 (title) Administration of drugs to pupils and emergency care.**

3 **SECTION 2.** 118.29 (1) (dr) of the statutes is created to read:

4 118.29 (1) (dr) "Opioid antagonist" has the meaning given in s. 450.01 (13v).

5 **SECTION 3.** 118.29 (1) (dt) of the statutes is created to read:

6 118.29 (1) (dt) "Opioid-related drug overdose" has the meaning given in s.
7 256.40 (1) (d).

8 **SECTION 4.** 118.29 (2) (a) 2g. of the statutes is created to read:

9 118.29 (2) (a) 2g. May administer an opioid antagonist to any pupil or other
10 person who appears to be undergoing an opioid-related drug overdose if, as soon as
11 practicable, the school bus operator, employee, or volunteer reports the drug
12 overdose by dialing the telephone number "911" or, in an area in which the telephone
13 number "911" is not available, the telephone number for an emergency medical
14 service provider.

15 **SECTION 5.** 118.29 (2) (a) 3. of the statutes is amended to read:

16 118.29 (2) (a) 3. Subject to sub. (4m), is immune from civil liability for his or
17 her acts or omissions in administering a nonprescription drug product or
18 prescription drug to a pupil under subd. 1., 2., 2m., or 2r. or to a pupil or other person
19 under subd. 2g. unless the act is in violation of sub. (6) or the act or omission
20 constitutes a high degree of negligence. This subdivision does not apply to health
21 care professionals.

22

(END)

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State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRBa0063/1
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ASSEMBLY AMENDMENT 1,
TO 2017 ASSEMBLY BILL 1

March 3, 2017 - Offered by Representatives BILLINGS and SPIROS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "pupils" insert "University of Wisconsin, technical
3 college, and private nonprofit college and university students".

4 **2.** Page 2, line 21: after that line insert:

5 "SECTION 5m. 895.478 of the statutes is created to read:

6 **895.478 Civil liability exemption; opioid antagonists. (1)** In this section:

7 (a) "Administer" has the meaning given in s. 118.29 (1) (a).

8 (b) "Health care professional" has the meaning given in s. 118.29 (1) (c).

9 (c) "High degree of negligence" has the meaning given in s. 118.29 (1) (d).

10 (d) "Opioid antagonist" has the meaning given in s. 450.01 (13v).

11 (e) "Opioid-related drug overdose" has the meaning given in s. 256.40 (1) (d).

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1 (f) "Residence hall director" means the individual employed by any of the
2 following to reside at a residence hall for students and oversee the management and
3 operation of the hall:

- 4 1. The University of Wisconsin System.
- 5 2. A technical college district.
- 6 3. The governing body of a private nonprofit institution of higher education
7 located in this state.

8 (2) Notwithstanding chs. 441, 447, 448, and 450, a residence hall director may
9 administer an opioid antagonist to any student or other person who appears to be
10 undergoing an opioid-related drug overdose if all of the following are satisfied:

11 (a) The residence hall director has received training on the administration of
12 opioid antagonists that is approved by his or her employer specified in sub. (1) (f) 1.,
13 2., or 3.

14 (b) As soon as practicable after administering the opioid antagonist, the
15 residence hall director reports the drug overdose by dialing the telephone number
16 "911" or, in an area in which the telephone number "911" is not available, the
17 telephone number for an emergency medical service provider.

18 (3) A residence hall director is immune from civil liability for his or her acts or
19 omissions in administering an opioid antagonist under sub. (2) unless the act or
20 omission constitutes a high degree of negligence. This subsection does not apply to
21 a residence hall director who is a health care professional. 21

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22 (END)

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State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRBa0113/1
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**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY AMENDMENT 1,
TO 2017 ASSEMBLY BILL 1**

March 7, 2017 - Offered by Representatives BILLINGS and SPIROS.

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 2, line 21: delete "professional." and substitute "professional."

3 **2.** Page 2, line 21: after that line insert:

4 "(4) An employer specified in sub. (1) (f) 1., 2., or 3. who approves training
5 required under sub. (2) (a) for the administration of opioid antagonists by a residence
6 hall director is immune from civil liability for the act of approval unless it constitutes
7 a high degree of negligence.".

8 (END)

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