



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.

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)