

# State of Wisconsin



2017 Assembly Bill 654

Date of enactment: April 16, 2018  
Date of publication\*: April 17, 2018

## 2017 WISCONSIN ACT 296

AN ACT to renumber 256.35 (7); to amend 256.35 (7) (title); and to create 20.435 (1) (cj), 256.35 (2m) and 256.35 (7) (bm) of the statutes; relating to: dispatcher assisted bystander cardiopulmonary resuscitation and making an appropriation.

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

**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

		2017–18	2018–19
<b>20.435 Health services, department of</b>			
(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION, AND DELIVERY			
(cj) Emergency dispatcher cardiopulmonary resuscitation training	GPR B	250,000	–0–

**SECTION 2.** 20.435 (1) (cj) of the statutes is created to read:

20.435 (1) (cj) *Emergency dispatcher cardiopulmonary resuscitation training.* Biennially, the amounts in the schedule for training public safety answering point dispatchers to provide telephonic assistance on administering cardiopulmonary resuscitation under s. 256.35 (2m).

**SECTION 3.** 256.35 (2m) of the statutes is created to read:

256.35 (2m) DISPATCHER ASSISTED BYSTANDER CARDIOPULMONARY RESUSCITATION. (a) In this subsection, “department” means the department of health services.

(b) Beginning on the first day of the 37th month that begins after the effective date of this paragraph .... [LRB inserts date], every public safety answering point shall,

in appropriate circumstances, provide telephonic assistance on administering cardiopulmonary resuscitation by doing any of the following:

1. Providing each dispatcher with training in cardiopulmonary resuscitation that includes all of the following:
  - a. Certification in cardiopulmonary resuscitation.
  - b. Use of an evidence-based protocol or script for providing cardiopulmonary resuscitation instruction recommended by an academic institution or a nationally recognized organization specializing in medical dispatch.
  - c. Appropriate continuing education, as determined by the department.
2. Transferring callers to a dedicated telephone line, telephone center, or another public safety answering point to provide the caller with assistance on administer-

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

ing cardiopulmonary resuscitation. If a public safety answering point transfers callers under this subsection, the transferring public service answering point shall do all of the following:

a. Use an evidence-based protocol for the identification of a person in need of cardiopulmonary resuscitation.

b. Provide appropriate training and continuing education, as determined by the department, on the protocol for identification of a person in need of cardiopulmonary resuscitation.

c. Ensure that any dedicated telephone line, telephone center, or public safety answering point to which calls are transferred under this subdivision uses dispatchers that meet the training requirements under subd. 1. to provide assistance on administering cardiopulmonary resuscitation.

(c) Beginning on the first day of the 37th month that begins after the effective date of this paragraph ... [LRB inserts date], every public safety answering point shall conduct ongoing quality assurance of its dispatcher assisted bystander cardiopulmonary resuscitation program.

(d) 1. From the appropriation under s. 20.435 (1) (cj), the department shall distribute moneys for dispatcher training on telephonic assistance on administering cardiopulmonary resuscitation, as required under par. (b).

1m. The department may distribute moneys under this subsection through grants, by establishing an application process for persons to submit proposals and establishing a contract with the department to provide training as described under par. (b), or through a combination of these methods.

2. A public safety answering point is eligible to receive a grant under this paragraph if it employs one or more dispatchers that have not completed training as described under par. (b).

2m. A recipient of moneys received under this paragraph shall use the moneys to provide dispatchers with training in accordance with the standards under par. (b).

3. Subject to subd. 2., the department shall establish criteria for approving and distributing moneys under subd. 1.

**SECTION 3e.** 256.35 (7) (title) of the statutes is amended to read:

256.35 (7) (title) ~~LIABILITY EXEMPTION~~ EXEMPTIONS.

**SECTION 3m.** 256.35 (7) of the statutes, as affected by [2017 Wisconsin Act 59](#), is renumbered 256.35 (7) (a).

**SECTION 3s.** 256.35 (7) (bm) of the statutes is created to read:

256.35 (7) (bm) Any public safety answering point or dispatcher who provides telephonic assistance on administering cardiopulmonary resuscitation is immune from civil liability for any outcomes resulting from the administration of cardiopulmonary resuscitation or failure to administer cardiopulmonary resuscitation if all of the following conditions exist:

1. The dispatcher who provides telephonic assistance on administering cardiopulmonary resuscitation has been trained in accordance with the standards under sub. (2m) (b).

2. The dispatcher provides telephonic assistance on administering cardiopulmonary resuscitation by doing any of the following:

a. Using an evidence-based protocol or script as described under sub. (2m) (b) 1.

b. Transferring the caller to a dedicated telephone line, telephone center, or another public safety answering point as described under sub. (2m) (b) 2.

3. The injury claimed is not the result of an act or omission that constitutes gross negligence or willful or wanton misconduct by the dispatcher or public safety answering point.

**SECTION 4. Nonstatutory provisions.**

(1) During the 2017–19 fiscal biennium, the department of health services may submit one or more requests to the joint committee on finance under section 13.10 of the statutes to supplement the appropriation under section 20.435 (1) (cj) of the statutes from the appropriation under section 20.865 (4) (a) of the statutes for the purpose of distributing moneys under section 256.35 (2m) (d). Notwithstanding section 13.101 of the statutes, the joint committee on finance is not required to find that an emergency exists before making a supplementation under this subsection.

(2) The department of health services shall include in its 2019–21 biennial budget request a proposal for funding for dispatcher training on telephonic assistance on administering cardiopulmonary resuscitation under section 256.35 (2m) of the statutes.

(3) The authorized FTE positions for the department of health services are increased by 0.5 GPR position, to be funded from the appropriation under section 20.435 (1) (a) of the statutes, for the purpose of administering the emergency dispatcher cardiopulmonary resuscitation training grant program under section 256.35 (2m).