

**ANDRÉ JACQUE**

STATE SENATOR • 1<sup>ST</sup> SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol • P.O. Box 7882

Madison, WI 53707-7882

*Testimony before the Senate Committee on Health  
Senator André Jacque  
January 12, 2022*

Chairman Testin and Committee Members,

Thank you for the opportunity to testify as the Senate author in support of Senate Bill 343, lifesaving legislation relating to use of epinephrine prefilled syringes and standing orders for epinephrine.

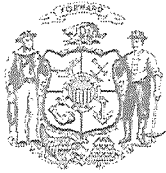
Anaphylaxis occurs when someone suffers a severe and life-threatening allergic reaction, most commonly from insect stings, food items and medications. Anaphylaxis results in approximately 1,500 deaths annually, in addition to roughly 90,000 emergency department visits each year in the U.S. from food allergies alone. Prompt recognition of signs and symptoms is crucial, as failure to administer epinephrine early in the course of treatment has been repeatedly implicated in anaphylaxis fatalities. The more rapidly anaphylaxis develops, the more likely the reaction will be severe and potentially life-threatening. Many times anaphylaxis occurs in the absence of a known allergic trigger, making legislation to allow increased access to epinephrine auto injectors that much more important. It is widely recognized that epinephrine auto-injectors are generally safe and easy to administer, even by people with no medical background.

Two sessions ago, the Wisconsin legislature passed 2017 Assembly Bill 96, common-sense legislation better known as Dillon's Law (named after Dillon Mueller of Mishicot who was killed by a severe allergic reaction from a bee sting when no epinephrine was available in the first aid kits of either the Eagle Scout with him, or the arriving volunteer first responders). This bi-partisan proposal built upon Wisconsin's past legislative efforts which have recognized that increased training and availability of epinephrine auto-injectors provide a lifesaving response to anaphylaxis within our communities.

2015 Wisconsin Act 35 allowed businesses and organizations in Wisconsin to undergo the proper training to obtain epinephrine auto-injectors for emergency administration to individuals suffering a severe allergic reaction (also known as anaphylaxis). Dillon's Law expanded the opportunity for Good Samaritans to provide this life-saving care, extending to all properly-trained individuals the ability to be prescribed an epinephrine auto-injector for emergency use regardless of business or organizational affiliation. Since its enactment in Wisconsin, Dillon's Law has allowed for the training of hundreds of individuals and already resulted in saving at least 7 lives, and several states are in the process of passing their own version of Dillon's Law, like Minnesota and Indiana accomplished while enacting nearly identical provisions within the past two years.

**Senate Bill 343 expands Dillon's Law for ease of use with three modifications requested by epinephrine administration trainers, including the Wisconsin Association of Osteopathic Physicians and Surgeons:**

1) The proposal allows prescribers to issue a standing order for epinephrine auto-injectors and prefilled epinephrine syringes. This mirrors the current authorization for prescribers to issue standing orders for naloxone, which is the drug that counteracts an opioid overdose. Generally, this would eliminate the need for an authorized entity or authorized individual to keep returning to the prescriber for prescriptions for epinephrine auto injectors.



# ANDRÉ JACQUE

STATE SENATOR • 1<sup>ST</sup> SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol - P.O. Box 7882

Madison, WI 53707-7882

2) The proposal requires a physician at the Department of Health Services to issue a statewide standing order for epinephrine auto injectors or prefilled syringes. DHS issued such a standing order for naloxone and under that standing order a pharmacy submits a request to DHS to dispense naloxone under the standing order. The proposal requires that DHS do the same sort of procedure for epinephrine auto injectors or prefilled syringes.

3) The proposal would add new anaphylaxis counteraction epinephrine products that have come on the market, such as Symjepi, to be available to trained individuals including first responders by adding prefilled syringes of epinephrine to the allowed authorizations granted for prescription, possession, and administration of epinephrine auto-injectors in current law. Prefilled syringes have been shown to be a sterile, stable, lower cost epinephrine dispensing alternative, and are more popular with some first responders because of greater certainty with the injection site. A “prefilled syringe” is defined in the bill as “a device that contains a dose of epinephrine and that is used for the manual injection of epinephrine into the human body to prevent or treat a life-threatening allergic reaction.”

This proposal is identical to 2019 SB 759 and has received support from:

- Wisconsin EMS Association
- Wisconsin Nurses Association
- Wisconsin Medical Society
- Pharmacy Society of Wisconsin
- Wisconsin Academy of Physician Assistants
- Wisconsin Association of Osteopathic Physicians and Surgeons
- Wisconsin Academy of Family Physicians
- Coalition of Wisconsin Aging Groups
- Wisconsin Association of School Nurses

I have also introduced Senate Amendment 1 at the request of the Wisconsin Association of School Nurses, which will allow the use of prefilled syringes by school staff. Both the Assembly companion bill and an identical amendment have already passed the Assembly Health Committee unanimously.

Thank you for your consideration of Senate Bill 343.



---

# SHAE SORTWELL

---

STATE REPRESENTATIVE • 2<sup>nd</sup> ASSEMBLY DISTRICT

**Hearing Testimony**  
**Senate Committee on Health**  
**January 12, 2022**  
**Senate Bill 343**

Chairman Testin and members of the Senate Committee on Health – thank you for giving me the opportunity to speak on SB 343, relating to use of epinephrine prefilled syringes and standing orders for epinephrine.

2017 Wisconsin Act 133, known as Dillon’s Law, was signed into law as common-sense legislation to avoid unfortunate situations where there is a lack of access to epinephrine. The previous bill is named after Dillon Mueller, who unfortunately died due to a severe allergic reaction from a bee sting when no epinephrine was available. You will hear from his family later.

This bill expands Dillon’s Law for ease of use at the request by epinephrine administration trainers. It allows prescribers to issue a standing order for epi-auto-injectors and epi-syringes, requires a physician at DHS to issue a statewide standing order for both epi products, and adds new anaphylaxis counteraction epi products that have come on the market to be available to trained individuals by adding prefilled syringes to the allowed authorization granted for prescription, possession, and administration of epi-auto-injectors in current law.

Senate Amendment 1, at the request of the Wisconsin Association of School Nurses, allows the use of prefilled syringes by school staff.

Additionally, we all know epi-pens are difficult to access because they are terribly expensive due to the patent of the auto-inject system. This bill will create better competition in the market by creating better access to pre-filled syringes and hopefully lower prices.

Senate Bill 343 is supported by the Wisconsin Nurses Association, Pharmacy Society of Wisconsin, and Wisconsin Medical Society. The Assembly version of this bill passed the Assembly Health Committee unanimously, 13-0.

I appreciate the opportunity to testify on this legislation and would gladly answer any questions the committee may have.



---

**Testimony to the Senate Health Committee  
in Support of Senate Amendment 1 to Senate Bill 343  
January 12, 2022**

Chair Testin, Vice-Chair Kooyenga, Senators Bradley, Erpenbach, and Carpenter:  
Thank you for this opportunity to appear before this committee. My name is Jack O'Meara. I am here on behalf of the Wisconsin Association of School Nurses.

WASN has requested one small but important change to Senate Bill 343. WASN is pleased that Senator Jacque has drafted an amendment to make the change.

As drafted, SB 343 will amend the statute dealing with self-administration of epinephrine (118.292) to allow the use of prefilled syringes. Senate Amendment 1 will add the same language to the statute dealing with medication administration by school staff (118.29). This change will make these two statutes consistent and lead to better health care delivery in the school setting.

WASN encourages the committee to adopt Senate Amendment 1 when SB 343 is brought up in executive session. This same change was contained in Assembly Amendment 1 to Assembly Bill 337, SB 343's companion. AA 1 to AB 337 was adopted in the Assembly Health Committee, so the bills will be identical if this committee adopts SA 1.

Thank you for considering the views of the state's school nurses, who work in schools across the state.