

State of Misconsin 2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1026/1 TKK:jld&wlj

## BILL

AN ACT to amend 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.

## 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 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	<b>SECTION 1.</b> 118.29 (1) (dr) of the statutes is created to read:
2	118.29 (1) (dr) "Opioid antagonist" has the meaning given in s. $450.01$ (13v).
3	<b>SECTION 2.</b> 118.29 (1) (dt) of the statutes is created to read:
4	118.29 (1) (dt) "Opioid-related drug overdose" has the meaning given in s.
5	256.40 (1) (d).
6	SECTION 3. 118.29 (2) (a) 2g. of the statutes is created to read:
7	118.29 (2) (a) 2g. Except for an opioid antagonist administered under subd. 2.,
8	may administer an opioid antagonist to any pupil who appears to be undergoing an
9	opioid-related drug overdose if, as soon as practicable, the school bus operator,
10	employee, or volunteer reports the drug overdose by dialing the telephone number
11	"911" or, in an area in which the telephone number "911" is not available, the
12	telephone number for an emergency medical service provider.
13	SECTION 4. 118.29 (2) (a) 3. of the statutes is amended to read:
14	118.29 (2) (a) 3. Subject to sub. (4m), is immune from civil liability for his or
15	her acts or omissions in administering a nonprescription drug product or
16	prescription drug to a pupil under subd. 1., 2., <u>2g.,</u> 2m., or 2r. unless the act is in
17	violation of sub. (6) or the act or omission constitutes a high degree of negligence.
18	This subdivision does not apply to health care professionals.
19	(END)