



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4256/1
CMH:emw

2015 ASSEMBLY BILL 835

January 29, 2016 - Introduced by Representatives HINTZ, BARNES, GOYKE, BERCEAU, DANOU, OHNSTAD, JOHNSON, SINICKI, MASON, KAHL, GENRICH, POPE, JORGENSEN, CONSIDINE, SUBECK, ZEPNICK and SPREITZER, cosponsored by Senators ERPENBACH, L. TAYLOR, HANSEN, HARRIS DODD, WIRCH and RINGHAND. Referred to Committee on Corrections.

1 **AN ACT** *to create* 301.28 (3) of the statutes; **relating to:** administration of
2 prescription drugs by correctional officers.

Analysis by the Legislative Reference Bureau

This bill prohibits a correctional officer who is not a health care provider from administering to prisoners a prescription drug unless the officer has, within the previous year, had at least four hours of training on the administration and safe handling of prescription drugs and on how to handle an allergic reaction to a prescription drug.

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

3 **SECTION 1.** 301.28 (3) of the statutes is created to read:

4 301.28 (3) (a) In this subsection:

5 1. "Administer" means the direct application of a prescription drug, whether
6 by injection, ingestion, or other means, to the human body.

7 2. "Health care professional" means a person licensed as an emergency medical
8 technician under s. 256.15, a person certified as a first responder under s. 256.15 (8),

ASSEMBLY BILL 835**SECTION 1**

1 or any person licensed, certified, permitted, or registered under chs. 441 or 446 to
2 449.

3 3. "Prescription drug" has the meaning given in s. 450.01 (20).

4 (b) No correctional officer may administer a prescription drug to a prisoner
5 unless one of the following applies:

6 1. The correctional officer is a health care professional.

7 2. The correctional officer has, within the immediately preceding 12 months,
8 undergone no less than 4 hours of training provided by or approved by the
9 department that provides instruction regarding the administration of prescription
10 drugs, the safe handling and disposal of prescription drugs, and how to recognize,
11 and action to take in the event of, an allergic reaction to a prescription drug.

12 3. An emergency exists in which the administration of a prescription drug is
13 necessary to prevent a loss of life or great bodily harm and no health care professional
14 or correctional officer under subd. 2. is available to administer the prescription drug.

15 (c) The department shall annually submit a report on or before December 31
16 to the chief clerk of each house of the legislature under s. 13.172 (2) describing the
17 training provided or approved under par. (b) 2. and the frequency of the training.

18

(END)