
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 195
[2023 Assembly Bill 914]

**Short-Acting Bronchodilators at
School**

2023 WISCONSIN ACT 195

2023 Wisconsin Act 195 authorizes a public, private, or tribal school to obtain and provide or administer a short-acting bronchodilator to a student with a prescription or a person in respiratory distress. Specifically, the governing body of a school that has adopted a school plan may authorize a school nurse or designated school personnel to do any of the following on school premises or at a school-sponsored activity:

- Provide a short-acting bronchodilator to a student to self-administer in accordance with a prescription specific to the student that is on file with the school.
- Administer a short-acting bronchodilator to a student in accordance with a prescription specific to the student that is on file with the school.
- Administer a short-acting bronchodilator to a student or other person who the school nurse or designated school personnel believes in good faith is experiencing respiratory distress, in accordance with a prescription or standing order, regardless of whether the student or other person has a prescription for a short-acting bronchodilator.

School Plan

The governing body of a school may adopt a plan for the management of students attending the school who have asthma. If the governing body of a school adopts a plan, it must specify in the plan the training necessary to provide or administer a short-acting bronchodilator. However, the governing body of a school may not adopt a plan unless the plan has been approved by a physician, an advanced practice nurse prescriber, or a physician assistant. Additionally, the governing body of a school must make the plan available on certain websites or give a copy of the plan to any person upon request.

Prescriptions and Supply

A physician, an advanced practice nurse prescriber, or a physician assistant may provide a prescription or standing order for a short-acting bronchodilator or components in the name of a school with a school plan. The governing body of a school with a school plan may obtain a prescription or standing order for a short-acting bronchodilator or components and may acquire and maintain a supply of short-acting bronchodilators and components. Additionally, the governing body of a school that has a valid prescription may accept as a donation a short-acting bronchodilator or components if the short-acting bronchodilator or components meet certain requirements.

Immunity From Civil Liability

None of the following are liable for any injury that results from the administration or self-administration of a short-acting bronchodilator, unless the injury is the result of an act or omission that constitutes gross negligence or willful or wanton misconduct:

- A school, school nurse, and designated school personnel.
- A physician, advanced practice nurse prescriber, or physician assistant who provides a prescription or standing order for a short-acting bronchodilator or components to a school.
- A physician, advanced practice nurse prescriber, physician assistant, or pharmacist who dispenses a short-acting bronchodilator or components to a school in accordance with a prescription or standing order.

Effective date: March 24, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

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