



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0253/1
TJD:klm

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 435**

January 19, 2018 - Offered by Senator COWLES.

- 1 **AN ACT to amend** 89.05 (1); and **to create** 256.04 (11) and 256.155 of the statutes;
2 **relating to:** the rendering of first aid to animals by emergency medical services
3 practitioners or emergency medical responders.

Analysis by the Legislative Reference Bureau

This substitute amendment allows an emergency medical services practitioner or an emergency medical responder to render first aid services to a sick or injured domestic animal that the emergency medical services practitioner or emergency medical responder encounters in the course of responding to a call for services before the domestic animal is transferred to a veterinarian for further treatment. Under the substitute amendment, a domestic animal is a dog, cat, or other house pet. The service provided to the domestic animal must be in the scope of practice of the emergency medical services practitioner or emergency medical responder when applied to human beings.

The substitute amendment provides civil and criminal immunity for ambulance service providers, emergency medical services practitioners, or emergency medical responders for any outcomes resulting from the rendering of first aid to the domestic animal. The substitute amendment also provides civil and criminal immunity for those persons for declining to render first aid to a domestic animal.

The substitute amendment incorporates a terminology change as enacted in 2017 Wisconsin Act 12.

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

1 **SECTION 1.** 89.05 (1) of the statutes is amended to read:

2 89.05 (1) Except as provided under sub. (2) and ~~s. ss. 256.155 and~~ 257.03, no
3 person may offer to practice, advertise to practice or practice veterinary medicine,
4 or use, in connection with his or her name, any title or description which may convey
5 the impression that he or she is a veterinarian, without a license or temporary permit
6 from the examining board. For purposes of this subsection, a person who makes
7 extra-label use of a drug on an animal without a prescription or in any manner not
8 authorized by that prescription is considered to be practicing veterinary medicine.

9 **SECTION 2.** 256.04 (11) of the statutes is created to read:

10 256.04 (11) Serve as a repository and contact for information and guidance on
11 rendering first aid to domestic animals. In developing any guidance under this
12 subsection, the board shall consult with a licensed veterinarian who is trained in
13 pre-hospitalization emergency care of domestic animals.

14 **SECTION 3.** 256.155 of the statutes is created to read:

15 **256.155 First aid to domestic animals. (1) DEFINITION.** In this section,
16 “domestic animal” has the meaning given in s. 895.484 (1) (a).

17 **(2) RENDERING FIRST AID ALLOWED.** An emergency medical services practitioner
18 or emergency medical responder who, in the course of responding to a call for service,
19 encounters a domestic animal that is sick or injured may render any first aid service
20 to the domestic animal before the domestic animal is transferred to a veterinarian
21 for further treatment if the service is in the scope of practice of the license or

1 certification of that emergency medical services practitioner or emergency medical
2 responder when applied to human beings.

3 **(3) IMMUNITY FROM LIABILITY.** (a) An ambulance service provider, emergency
4 medical services practitioner, or emergency medical responder is immune from civil
5 or criminal liability for any outcomes resulting from an emergency medical services
6 practitioner or an emergency medical responder rendering first aid to a domestic
7 animal in accordance with sub. (2).

8 (b) An ambulance service provider, emergency medical services practitioner, or
9 emergency medical responder is immune from civil or criminal liability from
10 declining to render first aid to a domestic animal.

11 **(END)**