

Luther S. Olsen

State Senator 14th District

TO: Senate Committee on Health and Human Services

FROM: Senator Luther Olsen

DATE: Wednesday, August 16, 2017

SUBJECT: Testimony for Assembly Bill 96/Senate Bill 209

Thank you Chairwoman Vukmir and members of the Senate Committee on Health and Human Services for holding a hearing and allowing me to testify in support of Assembly Bill 96 and Senate Bill 209.

Senate Bill 209, which is also known as Dillon's Law, builds on previous legislation that has been signed into law that addresses the need for more people to be adequately trained on epinephrine auto-injectors and increases its availability for life saving purposes.

Currently, only certain prescribers are allowed to give epinephrine auto-injectors in the name of specific authorized entities. An authorized entity is allowed under current law to maintain a supply of epinephrine auto-injectors, it is also important to note that only an employee or agent of an authorized entity that has completed the required training may administer the epinephrine auto-injectors.

Anaphylaxis may be caused to an individual from a number of things ranging from a food allergy, bee stings, drug reactions, or it can also be exercise induced. While many people are aware of their allergy there are also many, especially children, who are not which can lead to life threatening situations very quickly should they come into contact with their allergen.

This legislation looks to build upon current law by allowing Good Samaritans who have taken the required training to be able to administer them and maintain a supply regardless of what entity they may be affiliated with. It is our hope that this legislation will help save the lives of those individuals who may not be aware of a life-threatening allergy they may have should they ever go into anaphylaxis and not have an epinephrine auto-injector of their own.

Thank you, members. I ask for your support on AB 96/SB 209 and I would be more than happy to answer any questions that you may have.

(608) 266-9870 Fax: (608) 282-3602 Toll-Free: (888) 534-0002 Rep.Jacque@legis.wi.gov

P.O. Box 8952 Madison, WI 53708-8952

TO:

Members of the Senate Committee on Health & Human Services

FROM:

Rep. André Jacque

DATE:

August 16, 2017

RE:

Dillon's Law - Assembly Bill 96 & Senate Bill 209, relating to the supply and use of

epinephrine auto-injectors by certain authorized individuals

Chairwoman Vukmir and members of the Senate Committee on Health & Human Services,

Thank you for the opportunity to testify before you today as the Assembly author of Assembly Bill 96 and Senate Bill 209, common sense legislation better known as Dillon's Law. This bi-partisan proposal builds 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. I am grateful to my Senate co-author, Sen. Olsen, the long list of bi-partisan co-sponsors, including Sen. Carpenter, and to the Chair of this Committee for her past and continuing leadership on this issue.

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 expands 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. For example, currently a physical education teacher can be prescribed to be able to use an epinephrine auto-injector while they are at work at school, but if they want to go to the family reunion or to a Boy Scout hike, or the mall, they can't bring that auto-injector with them. It has to remain at school and they can't get another one to keep with them, and that doesn't make sense.

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. Seconds matter. 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- this bill will be a force multiplier, and I have no doubt that it will help to save lives.

Most people with a severe allergy carry epinephrine with them at all times. It is entirely likely, however, that someone may be unaware that they have a particular allergy, as was the case in the tragic death of Dillon Mueller of Mishicot, as a result of anaphylaxis from a previously unknown bee sting

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allergy. Dillon's parents are here with me today. Dillon was an Eagle Scout and 2014 graduate of

Mishicot High School, an outstanding young man whose loss has been felt deeply by the community. I am honored to bring this legislation forward in memoriam of Dillon, and at the request of his parents George and Angel Mueller, who have worked tirelessly since their son's passing to ensure the availability of epinephrine auto-injectors for emergency use and access to proper training, and are now trainers themselves. It is my strong hope that Dillon's Law can be enacted before the 3rd anniversary of his passing this October.

Dillon's Law passed the Assembly Health Committee and the full Assembly unanimously, and has been formally endorsed by the Wisconsin Association of Osteopathic Physicians and Surgeons, Wisconsin Medical Society, Wisconsin Academy of Family Physicians, Wisconsin Public Health Association, Wisconsin Nurses Association Wisconsin Association of Local Health Departments and Boards, Pharmacy Society of Wisconsin, Midwest Association of Independent Camps, and the Food Allergy Association of Wisconsin. I am unaware of any opposition to this common sense legislation.

Thank you for your time and consideration of Assembly Bill 96 & Senate Bill 209.

I am writing to express my strongest possible support for the "Dillon's Law" proposal that is under consideration in Wisconsin. In my role as Coordinator of Pre-Health Advising for the University of Wisconsin-Milwaukee, I continually seek opportunities to enhance the health and well-being of the students who attend UW Milwaukee, and to offer pre-med/pre-health students who hope to become future healthcare providers the opportunity to gain training in ways that will allow them to become immediately active in the contributing to the health and well-being of people in our community.

Last fall, I had the opportunity to work with Dr. Len Markman, DO (Wisconsin Association of Osteopathic Physicians and Surgeons), Dr. Gregg Silberg, DO (Wisconsin Association of Osteopathic Physicians and Surgeons) and the family of Dillon Mueller, at the fall Continuing Medical Education Conference for osteopathic physicians/surgeons and we offered premed/prehealth students from around the entire State of Wisconsin the opportunity to become trained and certified in how to respond to anaphylactic shock via the use of instruments like the Epi-pen. These students now know how to "Save a Life"... and they were absolutely inspired by their ability to do so.

To give you a concrete example of how immediately useful this would be...Think of students who live in our residence halls. A "*Dillon's Law*" trained student could potentially save their roommate because they recognize the signs/symptoms of someone going into anaphylactic shock, have been trained, and have access to the life-saving antidote. This is not a risky endeavor. This requires relatively simple training and the potential to save lives is exponential!

I know that hundreds, if not thousands, of pre-med/pre-health college students around the State of Wisconsin would sign up immediately to be trained in this life-saving measure, if given the opportunity. And, if you consider the ripple effect of having all those people in our State willing and able to help, and having ACCESS to the instrument necessary to intervene in an emergency... there is simply no doubt that this is the right thing to do.

Patty

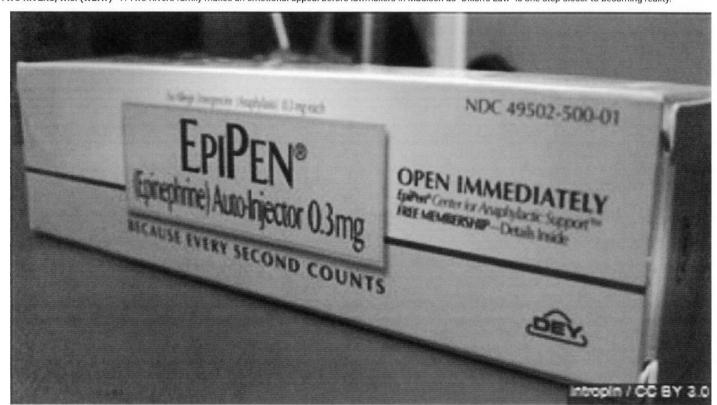
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Family fights for "Dillon's Law"



By Jeff Alexander | Posted: Wed 5:05 PM, Mar 08, 2017 | Updated: Wed 7:06 PM, Mar 08, 2017

TWO RIVERS, Wis. (WBAY) - A Two Rivers family makes an emotional appeal before lawmakers in Madison as "Dillon's Law" is one step closer to becoming reality.



They're supporting a bill in honor of their late son that would give more people the ability to administer life-saving care to someone suffering a severe allergic reaction.

Testifying before the Assembly Committee on Health today, George and Angel Mueller painfully described how a simple bee sting changed their lives forever.

"Imagine having to pick out your casket for your youngest of three sons, calling six of his best friends to be pall bearers and choosing the clothes he will be wearing forever," testified Angel Mueller from Two Rivers.

In 2014, 18-year old Dillon Mueller suffered anaphylaxis and died after getting stung doing yard work.



"As I stared down at Dillon in his ICU hospital bed, in a coma and on life support, I made the decision that I was going to do everything in my power to make sure no other family has to endure such a tragedy that we are enduring," says Mueller, Dillon's mom.

After Dillon's death, his parents successfully lobbied for a new law to allow businesses and organizations in Wisconsin to undergo training to obtain epinephrine auto-injectors, often called epi-pens, for emergency administration to anyone suffering a severe allergic reaction.

Now, with the help of Representative Andre Jacque from De Pere, the Muellers are pushing for what they call a common sense addition to that law,

Dillon's Law would allow anyone properly trained to use an epi-pen anywhere.

First responders who tried to save Dillon, say his case is a perfect example of why the new law is needed.

"This is truly life-saving, truly life-saving, in Dillon's case he sat too long prior to the epinephrine arriving at the scene," testified Two Rivers Assistant Fire Chief David Murack.

Following testimony, every lawmaker on the committee pledged their support for the bill, which now moves before the full legislature.

"Dillon's Law will save lives, those who are undiagnosed with severe allergies need our help, it could be you, your grandchild or someone you love, believe us, you do not want to be in our shoes," testified Mueller.

Parents fighting for 'Dillon's Law'

by Alex Ronallo, FOX 11 News Wednesday, March 8th 2017

MISHICOT (WLUK) -- Two Mishicot parents have made it their mission to get EpiPens in people's hands. They want to change state law, and put the pens into first aid kits.

29 months ago, Dillon Mueller died after being stung by a bee. The dirt bike racer and Eagle Scout had just graduated high school.

"He had an anaphylactic reaction and we did not know that he was allergic," explained Angel Mueller.

Now Dillon's parents Angel and George Mueller are working to change state law in his name. They want to expand the current law that allows organizations to keep EpiPens on site.

"From businesses and organizations being able to have epinephrine auto injectors and extends it to individuals," Angel told FOX 11 News.

The current law, which passed in 2015 says individuals can only have the devices outside certified organizations if they have a prescription.

"I just think it would be so much nicer if people could have them in their first aid kits, in their houses...just to save a life in the future," George told us.

The Muellers said when their son was stung, no one nearby had an EpiPen, neither did the first responders who came to his aid.

Angel told FOX 11 every second counts in a situation like that.

"Because you don't have a lot, a lot of time to call 911 and get to a hospital," she said.

Under the bill individuals would need to be trained and pass a certification test to obtain the EpiPen.

"Usually we do groups of 12 to 20 and in half an hour they can be trained. It's extremely easy," Angel explained.

State Representative Andre Jacque is working with the Muellers to get the law changed.

"This is something I think it going to be used and I think it's going to be a force-multiplier in terms of expanding the care in the community," he told us.

According to Jacque the bill has bi-partisan support.

The Muellers told us that's a very good sign.

"I just don't ever want anybody to have to go through what we did," said George.

"We may not be able to do it all and we may not be able to do it everywhere, but we are certainly doing it for Dillon...had the roles been reversed he would be doing the exact same thing we're doing: fighting to make a difference," said Angel.

The bill, Dillon's law, will have a hearing before the State Assembly Committee on Health tomorrow morning.

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Dillon's Law seeks epinephrine expansion

Alisa M. Schafer, USA TODAY NETWORK-Wisconsin

Published 6:42 p.m. CT Feb. 14, 2017



(Photo: Coburn Dukehart/Wisconsin Center for Investigative Journalism)

MADISON - State Rep. Andre Jacque is one of the leading sponsors of a bill that, if signed into law, would allow trained individuals to be prescribed an epinephrine auto-injector for emergency use, regardless of business or organizational affiliation.

The 2015 Wisconsin Act 35 only allowed businesses and organizations to have epinephrine auto-injectors available for emergency use. Four state senators and 10 representatives have signed on as co-sponsors for the bipartisan bill.

"I think it makes sense," Jacque said. "It has been brought to my attention how we can expand the law further. ... It makes sense that someone who has been trained be given the opportunity to give a life-saving response."

RELATED: City awards more funds for Mirro remediation (/story/news/2016/11/29/manitowoc-mirro-demolition-environmental-remediation-funds-halion/94628148/)

RELATED: Manitowoc committee OKs Mirro demo manager (/story/news/2016/09/07/mirro-manitowoc-

demolition-stantec/89973638/)

Jacque said he doesn't expect any difficulties in sending the bill through the proper channels to the governor's desk.

The bill is called "Dillon's Law" in memory of Dillon Mueller, an 18-year-old Mishicot boy who died in 2014 from anaphylactic shock caused by a bee sting.

"There is nothing we can do to bring their son back, but we can make sure we honor his memory by working to make this medicine widely available," Jacque said.

Epinephrine, also known as adrenaline, is used to treat anaphylaxis, a severe allergic reaction that could potentially be life-threatening if not treated immediately.

Angel and George Mueller, Dillon's parents, have become advocates of legislation that makes epinephrine more widely accessible in communities.

Angel said she was happy Jacque listened to Dillon's story and used it to promote Dillon's Law.

"We feel extremely honored that this is occurring because of our advocacy," Angel said. "We are sad that it happened because Dillon passed away, but pleased that it is happening because of our work for Dillon and his memory."

Angel said their motto is "We may not be able to do it all and we may not be able to do it everywhere, but we are doing it for Dillon."

When Act 35 was signed, Angel and George organized epinephrine training events in 2016 for local businesses. They have also created the Dillon Mueller Safe Business Award to give to businesses that have filled their prescriptions and now have epinephrine available for emergencies.

Angel said she and George tell Dillon's story wherever they go. They created a Dillon Mueller Memorial Fund to help with the costs of filling epinephrine prescriptions for local businesses and organizations.

"We have had continual support from several communities in getting the word out there," Angel said. "We are in the infancy stage for Dillon's Law. We have lots of support; we always have from day one."



Dillon's Law would broaden access to epinephrine

Posted: Feb 16, 2017 08:07 PM CST **Updated:** Feb 16, 2017 10:23 PM CST

(Interactive Media Not Supported by Print)

MISHICOT, Wis. (WFRV) - A Mishicot family is lending their support to a bill named after their son which is aimed at saving lives. Local 5's Kris Schuller reports Dillon's Law would allow trained individuals to administer epinephrine to anyone having a severe allergic reaction.

Three years ago 18-year-old Dillon Mueller was stung by a bee, went into anaphylactic shock and died a week later. It is a tragedy his parents won't ever forget.

"He did not know what was happening and within 10 minutes he was unconscious," said Angel Mueller, Dillon's mother. "He would still be alive today had there been an EpiPen available."

Since then a law was passed allowing trained businesses and organizations to have and administer these EpiPens in an emergency. Like here at Fox Hills Resort.

"Somewhere, somebody is going to be allergic and will need to have this service," said Roberta Eichelberg.

But that law excluded trained individuals and State Representative André Jaque (R-De Pere) is determined to change that.

"This legislation is really modeled after some of the existing expansion of access to epinephrine we've done in the legislature over the past couple sessions," said Jacque.

Jacque is pushing a bill called Dillon's Law, which would allow anyone trained on how to use an epinephrine autoinjector to purchase and administer the life-saving drug.

"They basically would have Good Samaritan protections," Jacque said.

Since Dillon's death his parents have been advocates for legislation making epinephrine available to anyone.

"Had EpiPens been available to the public someone would have had one with them and that would have saved his life," said Mrs. Mueller.

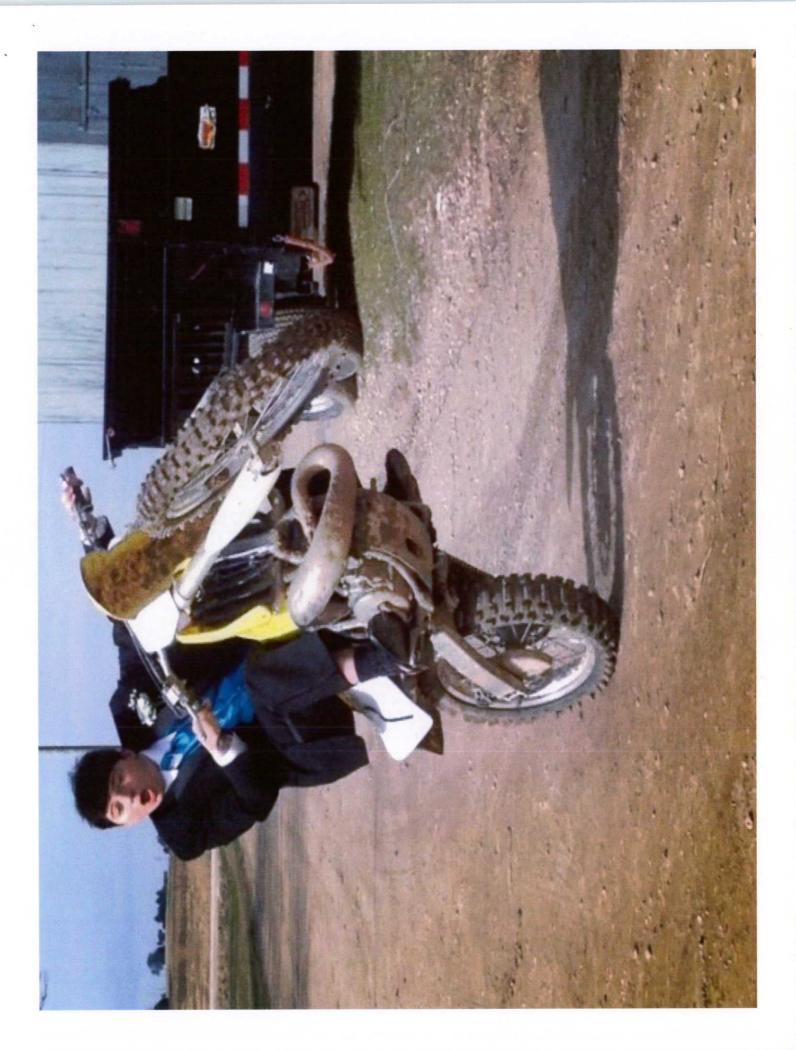
The couple prays the bill passes in Madison. Because EpiPens save lives and no family should lose a loved one to an easily treated allergic reaction.

"Don't want anybody to go through what we went through - seeing that happen to somebody you love," said George Mueller, Dillon's father.

Representative Jacque is one of the lead sponsors of the bill. Anaphylaxis results in 1,500 deaths each year in the U.S.
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Anaphylaxis training program Do it For Dillon SAVE A LIFE

Allergy Awareness & Epinephrine Auto-Injector Use



Objectives

- Recognize signs and symptoms of severe allergic reaction, including anaphylaxis.
- Standards and procedures for storage and administration of an
- Emergency follow-up procedures after an epinephrine autoinjector is administered. epinephrine auto-injector



Disclaimer

- errors that may occur from the use of this information. It is up to each individual to ensure that they provide care consistent with to-date. The author can not accept liability/responsibility from information contained in this presentation are correct and up-"Good Faith" to a person/s with a suspected severe allergic Every effort was made to ensure that the material and reaction.
- References available upon request.



2015 Wisconsin Law Act 35



- This law allows for a physician, PA, or an ANP to prescribe an epinephrine auto-injector in the name of any entity or organization,
- The authorized entity may acquire and maintain a supply of accessible in an emergency and in accordance with the instructions for using an Epi auto-injector and requirements established by the DOH epinephrine auto-injectors and must store them in a location
- Once a person completes this training program they would be experiencing anaphylaxis. able to administer epinephrine to a person they believe is
- Exempt from liability if acting in "Good Faith"
- Must complete this training every 4 years.

Liability

- Senate Bill 139 (2015) 255.07 (1) Good Samaritan protections; liability. (a) All of the following are not liable this section, unless the injury is the result of an act or omission that constitutes gross negligence or willful or for any injury that results from the administration or failure to administer an epinephrine auto-injector under wanton misconduct:
- 1. An authorized entity that possesses and makes available an epinephrine auto-injector and its employees, agents, and other individuals that store, maintain, control, oversee, provide, or use an epinephrine autoinjector.
- 2. A health care practitioner who prescribes or dispenses an epinephrine auto-injector to an authorized entity.
- 3. A pharmacist or other person who dispenses an epinephrine auto-injector to an authorized entity.
- 4. An organization that conducts the training described in sub. (5).
- (b) The use of an epinephrine auto-injector under this section does not constitute the practice of medicine or of any other health care profession that requires a credential to practice.
- (c) This immunity from liability or defense provided under this subsection is in addition to and not in lieu of that provided under s. 895.48 or any other defense or immunity provided under state law.

What is an allergy?

- An allergy is an **abnormal response to a normal substance**. This is the body's attempt to defend itself against substances that are perceived by the body to be hărmful (an Allergen).
- There are various degrees of reaction. Symptoms can occur up to 72 hours or more after exposure to the allergen and can last up to several days. Symptoms may or may not be life threatening.
- drugs, bee stings, and products especially latex. Allergic reactions could be caused by certain foods, some







Routes of Exposure

Skin Contact

Poison Plants



Scratches Animal

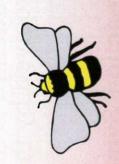


Pollen



Injection

Bee Stings







Ingestion

Inhalation

Medication

Pollen



Shellfish Nuts &



Mold & Mildew Dust

Animal

Dander



Common Food Allergies

Milk



Fish

Egg

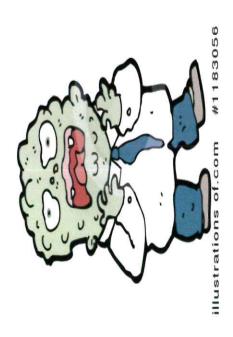
Shellfish

Soy



Tree Nuts

Whey



Severe/Anaphylactic Reactions

- Hives
- Swelling (face, lips, tongue, throat, upper airway)
- Difficulty breathing (chest tightness)
- Vomiting, diarrhea, cramping
- Difficulty swallowing (voice changes)
- Weakness, paleness, sweating
- Feeling of impending doom



Mild Allergic Reactions

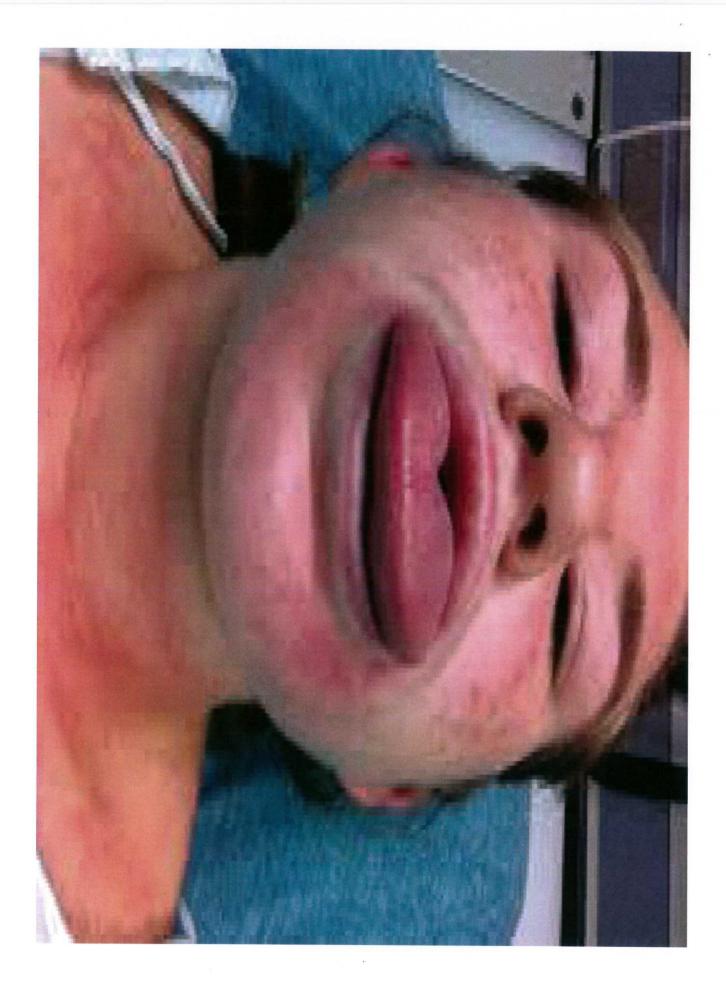
- Runny Nose
- Itchy, Red, watery eyes
- Local reaction to sting, UNLESS known to be allergic to venom.

What is Anaphylaxis?

- Anaphylaxis is the life threatening form of an allergic
- According to the American Lung Association, it is a "sudden, severe allergic response that usually produces breathing difficulties, collapse and possible death."
- Usually occurs 1-15 minutes after exposure, rarely after 2 hours
- Requires immediate action Epinephrine







3 R's for handling a Reaction

- RECOGNIZE the Signs & Symptoms
- Life threatening or not?
- REACT quickly -
- Activate an Emergency Care Plan
- **REVIEW** what caused the reaction and did the plan work? Evaluate the Emergency Action Plan implemented. Any lessons learned? Any changes to the plan required?

What to do when an Anaphylactic Reaction occurs

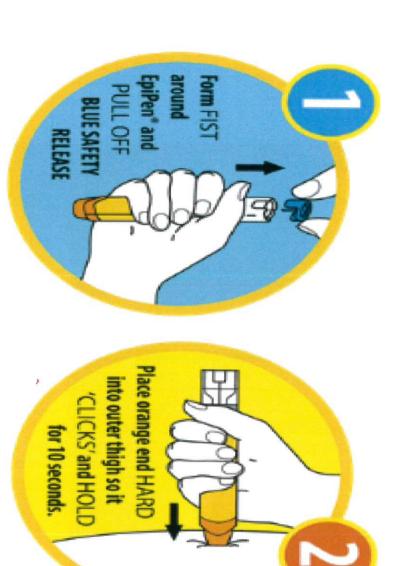
- Identify the problem
- Assess for the need for the Epinephrine auto-injector
- Obtain the closest accessible Epinephrine auto-injector
- □ Administer Epinephrine
- ☐ Call 911
- Stay with the person until help arrives
- Assess and prepare for the need of additional Epinephrine
- DO NOT delay calling 911 if an Epinephrine is not readily available.



EpiPen



EpiPen® Instructions



- EpiPens® are easy to use
- Remember, you must hold EpiPen® in place for 10 seconds. It will "hurt" – burning sensation. (rub site)
- Training is available through video/print/lecture
- Covered by the Good Samaritan Law

Other epinephrine auto-injector devices available in the U.S.A.



2017?

1. Auvi-Q.
2. Generic
"EpiPen"
3. Stay up to
date!!!!







Epi. Auto Injector Dosing

- Adults vs. Children

 Patients greater than or equal to 30 kg (approximately 66 lbs. or more): 0.3 mg
- 0.15 mg should be used on younger children (33-65 lbs.)



How does the Medication help?

- EpiPen® = Epinephrine Medication
- Quickly constricts blood vessels

Relaxes smooth muscles in the lungs to improve breathing

- Stimulates heartbeat
- Works to reverse hives and swelling around the face and sdir
- Wears off in 10-20 minutes, sometimes requires a second emergency room! dose, critical that 911 is called and person transported to

Epinephrine Auto-Injector Storage

- Read the information regarding storage on the package insert.
- Auto-Injectors should be stored in the opaque carrier tubes provided with the product.
- Store at room temperature (68-77 degrees F)
- Excursions allowed (59-86 degrees F)
- Protect epinephrine from light.



Anaphylaxis:

Any delay in treatment could be fatal."

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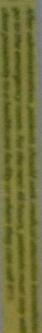


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- Remove bitse safety cap by pulling straight up. Do not bend or twist.



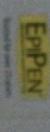
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Questions to be answered prior to practice and testing

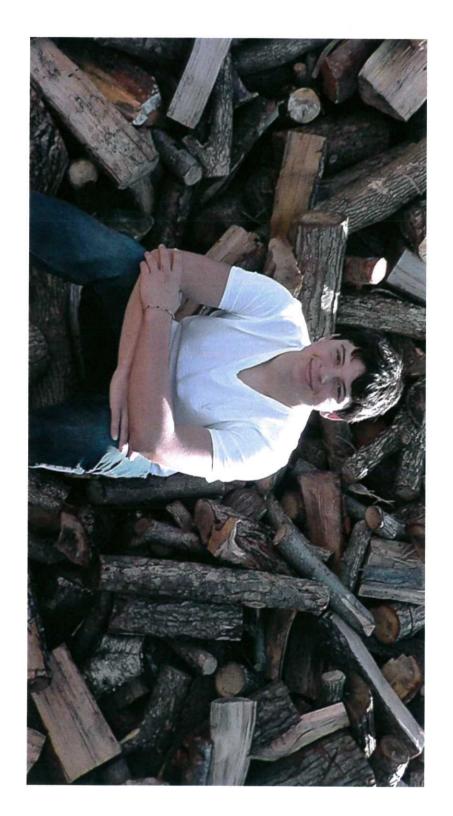
- How do you acquire epinephrine auto-injectors?
- general oversight of epinephrine auto-injectors acquired? Who is responsible for maintenance, storage, control, and
- Placement and storage?
- Post use disposal?
- Aberrant situations?
- Quality assurance and Quality improvement?







Quiz, Demonstration, Practice and Testing. "Save a Life"



"Lets do it for Dillon!!"

Recognize and Respond to Anaphylaxis

For a suspected or active food allergy reaction

FOR ANY OF SEVERE SYMPTOMS

A L

LUNG:

Short of breath, wheezing, repetitive

coug

HEART:

Pale, blue, faint, weak pulse, dizzy

(7)

THROAT:

Tight, hoarse, trouble breathing/

swallowing

(

MOUTH:

Significant swelling of the tongue, lips

SKIN:

Many hives over body, widespread

redness

9

GUT:

Repetitive vomiting, severe diarrhea

(9)

OTHER:

Feeling something bad is about to happen, anxiety, confusion

OR MORE MILD SYMPTOM

NOSE:

Itchy/runny nose, sneezing

0

MOUTH:

Itchy mouth

W

SKIN:

A few hives, mild itch

(3)

GUT:

Mild nausea/discomfort

1 INJECT EPINEPHRINE IMMEDIATELY

Call 911
Request ambulance with epinephrine.

Consider Additional Meds

(After epinephrine):

- » Antihistamine
- » Inhaler (bronchodilator) if asthma

Positioning

Lay the person flat and raise legs. If breathing is difficult or they are vomiting, let them sit up or lie on their side.

Next Steps

- » If symptoms do not improve, or symptoms return, more doses of epinephrine can be given about 5 minutes or more after the last dose.
- » Transport to and remain in ER for at least 4 hours because symptoms may return.

Do not depend on antihistamines. When in doubt, give epinephrine and call 911.

