Wisconsin Statutes and Administrative Code
Related to AIDS and HIV Infection

The following are hyperlinks to provisions of Wisconsin Statutes and Administrative Code related to HIV infection/AIDS as well as a related subject index to the Statutes and Administrative Code.

Note: The following chapter and subdivision headings are linked to the electronic publication of Wisconsin Statutes and Annotations, through the website of the Wisconsin State Legislature Legislative Reference Bureau (LRB), official publisher of the Wisconsin Statutes and Administrative Code. The LRB cautions that “the Wisconsin Statutes do not use the word ‘official’ in relation to the publication of statutes and, accordingly, ‘official’ has no legal meaning when applied to this electronic publication of the Wisconsin Statutes and Annotations or to the printed volumes.”

While HIV/AIDS-related content in Wisconsin Statutes is covered in variety of areas, the majority of AIDS/HIV-related provisions are located in Chapter 252 Communicable Diseases, specifically:

- s. 252.12 HIV and related infections, including hepatitis C virus infections; services and prevention
- s. 252.13 HIV tests,
- s. 252.133 HIV testing for anatomical gifts,
- s. 252.14 Discrimination related to acquired immunodeficiency syndrome
- s. 252.15 Restrictions on use of an HIV testing,
- s. 252.16 Health insurance premium subsidies, and
- s. 252.17 Medical leave premium subsidies.

Chapter 48: Children's Code
Access to certain information by substitute care provider

Chapter 49: Public Assistance
AZT and pentamidine reimbursement program
Case management services
Demonstration project for persons with HIV

Chapter 101: Department of Safety and Professional Services -- Regulation of Industry, Buildings and Safety
Powers, duties and jurisdiction of the department -- form to document significant exposure

Chapter 103: Employment Regulations
Restrictions on use of a test for HIV

Chapter 115: State Superintendent; General Classifications and Definitions; Children with Disabilities
Health problems education program
Chapter 118: General School Operations
Human growth and development instruction
Pupil records

Chapter 146: Miscellaneous Health Provisions
Access without informed consent
Confidentiality of patient health care records
Health care records; definitions
  health care provider (definition)
  informed consent (definition)
Violations related to patient health care records

Chapter 149: Mandatory Health Insurance Risk-Sharing Plan
Definitions
Eligibility determination

Chapter 155: Power of Attorney for Health Care
Definitions
Power of attorney for health care

Chapter 250: Health, Administration and Supervision
Definitions
Powers and duties of the department

Chapter 252: Communicable Diseases
Communicable diseases; suspected cases; protection of public
Definitions
Discrimination related to acquired immunodeficiency syndrome
Distribution of funds
Duties of local health officers
Health insurance premium subsidies
HIV and related infections, including hepatitis C virus infections; services and prevention
HIV tests
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Reports of cases
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Definitions
  Autopsies; testing of certain corpses
  Civil liability
  Confidentiality and disclosure of HIV test results
  Consent for testing
  Discipline of employees
  Expanded disclosure of test results prohibited
Explanation of HIV for test subjects
Penalties
Prohibition against conditioning HIV testing on disclosure
Record maintenance
Reporting of persons significantly exposed
Reporting of positive test results
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Significant exposure
Violation of law pertaining to health

Chapter 256: Emergency Medical Services
Emergency medical services personnel confidentiality of records

Chapter 609: Defined Network Plans
Coverage related to HIV infection

Chapter 631: Insurance Contracts Generally
Prohibited provisions concerning HIV infection
Restrictions on use of tests for HIV

Chapter 632: Insurance Contracts in Specific Lines
Mandatory coverage; drugs for treatment of HIV infection

Chapter 901: Evidence - General Provisions
Admissibility of certain test results

Chapter 938: Juvenile Justice Code
Access to certain information by substitute care provider
Notice to victims of juveniles' acts
Testing for HIV infection and certain diseases

Chapter 968: Commencement of Criminal Proceedings
Testing for HIV infection and certain diseases

Chapter 973: Sentencing
Misdemeanors, special disposition
Wisconsin Administrative Code

Administrative Rules are policies that Wisconsin State agencies issue on a variety of subjects. Rules have the full force and effect of law and are published in the Wisconsin Administrative Code. The following are links to HIV/AIDS-related Administrative Rules.

**DHS 138: Subsidy of Health Insurance Continuation Coverage Premiums for Persons with HIV Infection**
DHS 138 identifies the authority, purpose, and the provisions for participation and payment of health insurance premiums in the Wisconsin Health Insurance Premium Subsidy Program for Persons with HIV infection.

**DHS 145: Control of Communicable Diseases**
**DHS 145: Appendix A -- Communicable Diseases and other Notifiable Conditions**
DHS 145 covers general provisions regarding the prevention and control of communicable diseases, as well as specific provisions regarding tuberculosis and sexually transmitted disease.

**INS 3: Casualty Insurance**
For provisions regarding HIV testing, see Ins 3.53 and Appendix A.

**INS 6: General Chapter**
For provisions regarding unfair discrimination in life and disability insurance, see Ins. 6.67.
SUBJECT INDEX

Blood banking
blood tests for HIV: s. 252.13
consent: s. 252.15m

Case management
HIV and related infections: s. 252.12(2)(a)8
medical assistance; case management services: s. 49.425(25)

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confidentiality and disclosure of HIV test results: s. 242.15(3m)
health care records; definitions: s. 146.81
patient health care records: s. 146.82
pupil records: s. 118.125
worker’s compensation claim: s. 102.13(2)

Consent for testing
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extensions to consent:
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Corpses, testing of: s. 252.15(5m)

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subsitute care provider: s. 48.371
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written consent for disclosure: s. 252.15(3m)

Discrimination prohibited
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in employment: s. 103.15
in health care: s. 252.14
in insurance: Wis. Admin. Code INS 3: Casualty Insurance [see 3.53(2) and 3.53 (7)]
penalties for discrimination: s. 252.14(4)

Drug reimbursement: s. 49.686

Early intervention services
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Education: s. 115.35; s. 118.019; s. 118.125

Employment, restrictions on use of test: s. 103.15

Evidence, HIV status admissibility
general provisions: s. 901.05
small claims actions: s. 146.86(2)

Foster parent access to test results: s. 48.371

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Good Samaritan: s. 252.15(5g)

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Validated test result: s. 252.01(8)

Viatical/life settlement contracts: s. 632.69

Worker's compensation: s. 102.13(2)

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