

**Directions for Drawing Blood for Implied Consent Purposes Wis. 343.305:**

To the Law Enforcement Agency:

Blood may be withdrawn by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician. Local enforcement agencies should make suitable arrangements with medical facilities and/or personnel for this purpose. If you transport the subject to a hospital, emergency room, or doctor's office, have this kit available for their use.

**To the specimen collector:**

Under Wis. 343.305, blood specimens may be legally obtained if:

1. The subject has been arrested. 343.305(5)(b)
2. The subject is unconscious. 343.305(3)(b)
3. Directed by a law enforcement officer in conjunction with a lawful OWI arrest, even if the subject refuses the test. *State v. Bohling* 173 Wis. 2d 529 (1993)

If blood is withdrawn following the above criteria, you and your employer are immune from liability under 343.305(5)(c), provided you are not negligent in performing the procedure (i.e. you use good, accepted technique). This kit should be used for collecting specimens requested by subjects who have been arrested under 343.305. This kit is sometimes used by law enforcement officers for subjects arrested under other statutes.

**Blood Drawing Instruction:**

1. Use a disposable, sterile needle and holder of your choice. Use the blood collection vials provided in this kit.
2. Prepare the site using the antiseptic towelette provided in the kit (benzalkonium chloride in water). If the kit towelette is unavailable, you may substitute another non-alcohol based antiseptic, such as povidone-iodine.
3. Mix blood slowly by inversion several times immediately after drawing.
4. Place the seal strip over the rubber stopper.
5. Write subject's name on the label.
6. Wrap the label around the tube, covering the ends of the seal strip.
7. Sign the form enclosed in the kit as to date and time of sampling.
8. Return the specimen and form to the officer for mailing.

Note: Do not send used needles or towelettes to the laboratory.

**To the officer:**

1. Fill in all relevant areas (non-laboratory) of the form.
2. Place the blood tube(s) into plastic bag along with the absorbent material and seal.
3. Put the packaged specimen(s) and form in the polystyrene mailing container. Seal the container with two bands of tape.
4. If you wish to have the specimen analyzed at the WSLH, use the label provided; otherwise address the container to the approved laboratory of your choice.
5. Affix proper postage to outside of container.