

WISCONSIN COVID-19

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State of Emergency: [Executive Order 105](#) expired on May 5, 2021. To date, the Governor has not issued a new order.

Elective and Non-Essential Surgeries/Procedures may resume without restrictions.

Liability Immunity: Section 98 of the [2019 Wisconsin Act 185](#) created immunity from civil liability for a health care provider for claims based upon the death of, or injury to, any individual, or any damages caused by acts or omissions that satisfy the following conditions:

- The act or omission occurred during the state of emergency, March 12, 2020, through June 4, 2021.
- The act or omission to act must relate to health services provided (or not provided) in “good faith” and that were “substantially consistent” with direction, guidance, recommendation or other statements by federal, state or local officials to address or respond to the emergency; or guidance published by the Department of Health Services, federal Health and Human Services, or any divisions or agencies of the federal Health and Human Services.
- The act or omission is not “reckless or wanton conduct or intentional misconduct.”

The immunity appears to apply to compensated and uncompensated providers.