

1975 Assembly Bill 872

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CHAPTER 260, Laws of 1975

AN ACT to amend 146.30 (1) (a) and 146.32 (1) of the statutes, relating to exempting religious order nursing homes and residential care institutions from nursing home and residential care institution licensing and regulation requirem

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

SECTION 1. 146.30 (1) (a) of the statutes is amended to read:

146.30 (1) (a) A "nursing home" means any building, structure, institution, boarding home, convalescent home, agency or other place, not limited by enumeration, for the reception and care or treatment for not less than 72 hours in any week of 3 or more unrelated patients who by reason of disability, whether physical or mental, including mental retardation and mental illness, are in need of nursing home services. To the extent that a county institution provides "nursing home" services as described in this paragraph, it shall be deemed a nursing home under this section. "Nursing home" does not otherwise include institutions under the jurisdiction of or subject to the supervision of the department, including but not limited to child care institutions, child care centers, day care centers, day nurseries, nursery schools, foster homes and group foster homes for adults or children, child welfare agencies, child placing agencies, mental health clinics, tuberculosis sanatoria, maternity homes, maternity hospitals, hotels, and general and special purpose hospitals, except any part thereof which comes within the definition of a "nursing home". A "nursing home" shall not include the offices of persons licensed by the state to treat the sick. The reception and care or treatment in a household or family of a person related by blood to the head of such household or family, or to his or her spouse, within the degree of consanguinity of first cousin, shall not constitute the premises to be a "nursing home". The reception and care or treatment of a person in a convent or facility owned or operated exclusively by and for the members of a religious order shall not constitute the premises to be a "nursing home".

SECTION 2. 146.32 (1) of the statutes is amended to read:

146.32 (1) DEFINITION. A "residential care institution" means, without limitation because of enumeration, any building, structure, institution, boarding home or other place for the reception and care of 3 or more unrelated individuals for not less than 72 hours in any week, who by reason of physical or mental disability, including mental retardation and mental illness, are in the opinion of a licensed physician, in need of care but not the care given in a nursing home as defined in s. 146.30 (1) (a). The reception and care of or treatment of a person in a convent or facility owned or operated exclusively by and for the members of a religious order shall not constitute the premises to be a "residential care institution".