

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1179/1dn
DAK:kjf:pg

May 4, 2005

To Senator Roessler:

1. After conferring with Laura Rose about questions 14. and 17. in my Drafter's Note to you of March 2, 2005, for LRB-1179/P2, I removed an amendment that specified outpatient services from s. 51.47 (1), stats., since that statute provides for both inpatient and outpatient AODA treatment for minors, and made an exception for s. 51.47, stats., in ss. 51.13 (1) (a) and 51.45 (10) (am), stats., to remove conflicts and inconsistencies under current law.

2. I consulted with Mr. Rod Miller of DHFS concerning the curious statutory treatment of s. 51.13 (4) (g), stats., which, as written, appears to authorize a 14-year-old minor with mental illness or developmental disability, a treatment director, or a county department director to approve a court order before it may be implemented. He agreed that the wording is inappropriate, and I have amended the paragraph to permit placement in or transfer to a center for the developmentally disabled that is first approved by DHFS, the treatment director, the director of the s. 51.42 or 51.437 county department, and the minor's parent or guardian (if the minor is under age 14) or the minor's parent or guardian and the minor (if the minor is age 14 or older, except that the parent or guardian can override the minor's refusal). The effect is to be consistent with the treatment of minors in the rest of the bill and to require approval *before* the court's decision, not after.

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