

Fiscal Estimate Narratives

DHS 11/13/2013

LRB Number	13-3433/1	Introduction Number	AB-0500	Estimate Type	Original
Description Emergency detention pilot program in Milwaukee County					

Assumptions Used in Arriving at Fiscal Estimate

Current law establishes criteria for a law enforcement officer or certain other persons to take an individual into custody for an emergency detention and establishes a detention procedure specific to Milwaukee County.

This bill creates a two-year pilot program in Milwaukee County that operates in addition to existing emergency detention procedures. Under the pilot program, a treatment director or treatment director designee may take an individual into custody for an emergency detention under the same criteria that law enforcement officers may under current law. In addition, the treatment director or designee must transport or provide transportation for the detainee to the detention center; approve evaluation, diagnosis and treatment, if permitted, and follow related requirements; and sign a statement of emergency detention that meets certain requirements. A treatment director, under the bill, includes a licensed physician or licensed psychologist who is a full- or part-time employee of, or on contract with, the Milwaukee County Behavioral Health Division and who actively assumes clinical responsibility for the provision of emergency service care. A treatment director designee is defined under the bill as a licensed clinical social worker, advanced practice social worker, licensed professional counselor, licensed marriage and family therapist, or a psychiatric nurse, who is a full- or part-time employee of, or in contract with, the Milwaukee County Behavioral Health Division, and who may provide care to individuals in accordance with, and as permitted by, state licensure laws, in collaboration with a treatment director who is assigned to the same service or program. Finally, the bill requires the Legislative Audit Bureau to conduct a performance audit of the pilot program.

The Department anticipates no fiscal impact from this bill because the majority of individuals taken into custody for an emergency detention in Milwaukee County are taken to the Milwaukee Mental Health Complex, a county treatment facility. However, if individuals under an emergency detention as a result of this bill are taken to a state mental health institute instead, the Department would incur increased costs to provide evaluation and treatment services to these individuals. The Department would charge these costs to the county through the state mental health institute rates. In addition, the Department will incur the cost of the LAB audit required under this bill.

The Department expects increased costs to Milwaukee County if the bill results in an increase in the number of emergency detentions in Milwaukee County.

Long-Range Fiscal Implications