



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 34
[January 2017 Special Session
Assembly Bill 5]

Treatment for Drug Dependence

BACKGROUND

The Department of Health Services must establish a comprehensive and coordinated program for the treatment of alcoholics and intoxicated persons. An alcoholic may apply for voluntary treatment directly to an approved public treatment facility, and an intoxicated person may come voluntarily to an approved public treatment facility for emergency treatment.

In addition, the program includes emergency commitment for intoxicated persons and involuntary commitment for alcoholics. Under emergency commitment, an intoxicated person who has threatened, attempted, or inflicted physical harm on himself or herself or on another and is likely to inflict such physical harm unless committed, or a person who is incapacitated by alcohol, may be committed to the county department and brought to an approved public treatment facility for emergency treatment, upon the petition of an individual. Under involuntary commitment, a person may be committed to the custody of the county department by the circuit court upon the petition of three adults that alleges that the condition of the person is such that he or she habitually lacks self-control as to the use of alcohol beverages and uses such beverages to the extent that health is substantially impaired or endangered and social or economic functioning is substantially disrupted.

2017 WISCONSIN ACT 34

2017 Wisconsin Act 34 extends the program for alcoholics and intoxicated persons, including the emergency and involuntary commitment provisions, to persons who have drug dependence, who are incapacitated by the use of drugs, and who habitually lack self-control as to the use of drugs. The Act defines “drug dependence” as a disease that is characterized by a person’s use of one or more drugs that is beyond the person’s ability to control to the extent that

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

the person's physical health is substantially impaired or his or her social or economic functioning is substantially disrupted.

The Act also requires that notice of the preliminary hearing in an involuntary commitment be given to corporation counsel in the county in which the petition is filed.

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