

Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 565

Senate Amendment 1

2019 SENATE BILL 565

Senate Bill 565 clarifies current law regarding transport of individuals for emergency detention by expressly providing that a law enforcement agency may contract with another law enforcement agency, an ambulance service provider, or a third-party vendor to transport an individual for emergency detention if the agency, provider, or vendor agrees to provide the transport. The bill also provides that an individual in custody being transported for emergency detention remains in the custody of the law enforcement officer or other authorized person who placed the individual in custody for purposes of emergency detention, except that if a law enforcement agency contracts with another law enforcement agency to transport an individual for the purposes of emergency detention, custody is transferred to the transporting law enforcement agency.

The bill also requires the Department of Health Services (DHS) to request any federal approval required to provide reimbursement to counties for the costs of transporting for emergency detention recipients under the Medical Assistance (MA) program and to provide that reimbursement to counties if federal approval is granted or not required. If federal approval is necessary but not granted, DHS may not provide reimbursement under the MA program.

SENATE AMENDMENT 1

Senate Amendment 1 adds a provision to the bill that requires that DHS must establish criteria that any third-party vendor that is not a law enforcement agency or ambulance service provider must meet in order for the county to obtain reimbursement for transport provided by that third-party vendor under the MA program.

BILL HISTORY

Senator Petrowski offered Senate Amendment 1 to Senate Bill 565 on January 14, 2019. On January 29, 2019, the Senate Committee on Judiciary and Public Safety voted unanimously to recommend adoption of Senate Amendment 1 and passage of Senate Bill 565, as amended.

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