



**ASSEMBLY AMENDMENT 1,
TO 2005 SENATE BILL 226**

February 27, 2006 – Offered by Representative UNDERHEIM.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: delete the material beginning with “disability,” and ending
3 with “records” on line 2 and substitute “disability.”

4 **2.** Page 5, line 1: delete the material beginning with that line and ending with
5 page 6, line 2.

6 **3.** Page 11, line 4: delete lines 4 and 5 and substitute “refusal, or if a hearing
7 has”.

8 **4.** Page 11, line 9: delete that line and substitute “is sooner, and shall”.

9 **5.** Page 16, line 21: delete the material beginning with that line and ending
10 with page 17, line 24.

11 **6.** Page 18, line 1: delete that line and substitute:

12 “**51.14 (title) Outpatient Review of outpatient mental health treatment**
13 **of minors aged 14 or older.**”

1 **7.** Page 18, line 7: delete lines 7 to 15.

2 **8.** Page 18, line 21: delete “~~s. 51.61(6) sub. (1m)~~” and substitute “s. 51.61 (6)”.

3 **9.** Page 18, line 23: delete “was provided under sub. (1m)” and substitute “for
4 outpatient treatment was provided”.

5 **10.** Page 19, line 21: delete “~~s. 51.61(6) sub. (1m)~~” and substitute “s. 51.61 (6)”.

6 **11.** Page 20, line 16: on lines 16 and 21, delete “~~s. 51.61(6) sub. (1m)~~” and
7 substitute “s. 51.61 (6)”.

8 **12.** Page 21, line 13: delete lines 13 to 21, as affected by senate amendment
9 1.

10 **13.** Page 25, line 22: delete the material beginning with that line and ending
11 with page 28, line 10, and substitute:

12 “**SECTION 51m.** 51.61 (6) of the statutes is amended to read:

13 51.61 (6) Subject to the rights of patients provided under this chapter, the
14 department, county departments under s. 51.42 or 51.437, and any agency providing
15 services under an agreement with the department or those county departments have
16 the right to use customary and usual treatment techniques and procedures in a
17 reasonable and appropriate manner in the treatment of patients who are receiving
18 services under the mental health system, for the purpose of ameliorating the
19 conditions for which the patients were admitted to the system. The written,
20 informed consent of any patient shall first be obtained, unless the person has been
21 found not competent to refuse medication and treatment under s. 51.61 (1) (g) or the
22 person is a minor 14 years of age or older who is receiving services for alcoholism or
23 drug abuse or a minor under 14 years of age who is receiving services for mental
24 illness, developmental disability, alcoholism, or drug abuse. In the case of such a

1 minor, the written, informed consent of the parent or guardian is required, except as
2 provided under an order issued under s. 51.13 (1) (c) or 51.14 (3) (h) or (4) (g), or as
3 provided in s. 51.47. If the minor is 14 years of age or older and is receiving services
4 for mental illness or developmental disability, the written, informed consent of the
5 minor and the minor's parent or guardian is required. ~~A, except that a~~ refusal of
6 either such a minor 14 years of age or older or the minor's parent or guardian to
7 provide written, informed consent for admission or transfer to an approved inpatient
8 treatment facility is reviewable under s. 51.13 (1) (c) 1., ~~(3), or (4), or 51.35 (3) (b)~~, and
9 a refusal of either a minor 14 years of age or older or the minor's parent or guardian
10 to provide written, informed consent for outpatient mental health treatment is
11 reviewable under s. 51.14.”.

12 **14.** Page 28, line 14: delete lines 14 to 17 and substitute “(6) (c) and (7) (a),
13 51.22 (2), 51.45 (11) (a), and 51.61 (6) of the statutes, the renumbering and
14 amendment of section 51.13 (4) (g) 1. and (6) (a) of the statutes, and the creation of
15 sections 51.13 (4) (g) 1. a. to c. and 4. of the statutes first apply to inpatient treatment
16 applied for or received in an”.

17 **15.** Page 28, line 22: delete lines 22 to 25 and substitute “51.14 (title), (1), (3)
18 (a), (b) 3., (f), (g), (h) (intro.) and 1., and (j), and (4) (a) and (g) (intro.), 51.45 (10) (am),
19 and 51.61 (6) of the statutes first apply to outpatient treatment consented to or
20 received”.

21 **16.** Page 29, line 13: delete lines 13 to 17.

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(END)