



1997 ASSEMBLY BILL 784

February 11, 1998 - Introduced by Representatives ALBERS, LADWIG, BOYLE, PLALE, MUSSER, BOCK and OWENS, cosponsored by Senators RUDE, ROESSLER and DARLING. Referred to Committee on Health.

- 1 **AN ACT to amend** 51.01 (5) (a), 55.01 (2) and 880.01 (2) of the statutes; **relating**
2 **to:** specifying that Huntington's disease is a developmental disability.

Analysis by the Legislative Reference Bureau

Under current law, counties are required to purchase or provide certain services to persons who have developmental disabilities. Counties also provide protective placements or protective services, primarily for persons who are adjudicated incompetent. Current law also prohibits maltreatment of vulnerable adults, including developmentally disabled persons. A developmental disability is a disability attributable to conditions such as brain injury or mental retardation.

This bill specifies that Huntington's disease (also called Huntington's chorea) is a developmental disability for the purposes of provision of services by counties, protective placement or protective services, the finding of incompetence and appointment of a guardian and prohibitions on maltreatment of vulnerable adults. Huntington's disease is a hereditary disease characterized by involuntary movements and mental deterioration.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 784**SECTION 1**

1 **SECTION 1.** 51.01 (5) (a) of the statutes, as affected by 1997 Wisconsin Act 47,
2 is amended to read:

3 51.01 **(5)** (a) “Developmental disability” means a disability attributable to
4 brain injury, cerebral palsy, epilepsy, autism, Prader-Willi syndrome, Huntington’s
5 disease, mental retardation, or another neurological condition closely related to
6 mental retardation or requiring treatment similar to that required for mental
7 retardation, which has continued or can be expected to continue indefinitely and
8 constitutes a substantial handicap to the afflicted individual. “Developmental
9 disability” does not include senility which is primarily caused by the process of aging
10 or the infirmities of aging.

11 **SECTION 2.** 55.01 (2) of the statutes is amended to read:

12 55.01 **(2)** “Developmentally disabled person” means any individual having a
13 disability attributable to mental retardation, cerebral palsy, epilepsy, autism,
14 Huntington’s disease or another neurological condition closely related to mental
15 retardation or requiring treatment similar to that required for mentally retarded
16 individuals, which has continued or can be expected to continue indefinitely,
17 substantially impairs the individual from adequately providing for his or her own
18 care or custody, and constitutes a substantial handicap to the afflicted individual.
19 The term does not include a person affected by senility which is primarily caused by
20 the process of aging or the infirmities of aging.

21 **SECTION 3.** 880.01 (2) of the statutes is amended to read:

22 880.01 **(2)** “Developmentally disabled person” means any individual having a
23 disability attributable to mental retardation, cerebral palsy, epilepsy, autism,
24 Huntington’s disease or another neurological condition closely related to mental
25 retardation or requiring treatment similar to that required for mentally retarded

ASSEMBLY BILL 784

1 individuals, which has continued or can be expected to continue indefinitely,
2 substantially impairs the individual from adequately providing for his or her own
3 care or custody and constitutes a substantial handicap to the afflicted individual.
4 The term does not include a person affected by senility which is primarily caused by
5 the process of aging or the infirmities of aging.

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(END)