



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4945/1
TJD:kjf

2017 SENATE BILL 674

January 4, 2018 - Introduced by Senators DARLING, JOHNSON, LARSON, OLSEN, L. TAYLOR, VINEHOUT and WANGGAARD, cosponsored by Representatives SNYDER, MEYERS, NEYLON, BILLINGS, KATZMA, DOYLE, NOVAK, SUBECK, RODRIGUEZ, PRONSHINSKE, BALLWEG, KITCHENS, BERCEAU, BORN, BRANDTJEN, E. BROOKS, R. BROOKS, FELZKOWSKI, GENRICH, HORLACHER, JACQUE, KNODL, KRUG, KULP, LOUDENBECK, MURSAU, PETRYK, RIPP, ROHRKASTE, SARGENT, SCHRAA, SINICKI, SPREITZER, STEFFEN, STEINEKE, SUMMERFIELD, SWEARINGEN, TAUCHEN, C. TAYLOR, THIESFELDT, TITTL, VANDERMEER and VRUWINK. Referred to Committee on Health and Human Services.

1 **AN ACT to create** 51.30 (4) (cg) of the statutes; **relating to:** limited release of
2 mental health information to out-of-home care providers and child welfare
3 agencies.

Analysis by the Legislative Reference Bureau

This bill allows a health care provider to disclose to an out-of-home care provider and child welfare agency a portion of the mental health treatment record of a child who is placed in out-of-home care that the health care provider reasonably believes is necessary for the proper care of the child. Under current law, a mental health treatment record is confidential and may be released only upon informed written consent of the subject of the treatment record and in other limited circumstances explicitly described in the law.

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

4 **SECTION 1.** 51.30 (4) (cg) of the statutes is created to read:
5 51.30 (4) (cg) *Limited release of information of foster children.* If the subject
6 of a treatment record is a child who is placed in out-of-home care, a health care
7 provider may disclose to an out-of-home care provider, as defined in s. 48.02 (12r),

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SECTION 1

1 and a child welfare agency without informed written consent a portion, but not a
2 copy, of the child's treatment record that the health care provider reasonably believes
3 is necessary for the proper care of the child, such as the diagnosis, treatment plan,
4 and medication management plan.

5 (END)