

No. 171, S.]

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CHAPTER 55.

AN ACT to amend 142.03 (1), (2) and (4), 142.04, 142.05, 142.07 (1) and (1m) (a) and (b), and 142.08 (1m), of the statutes, relating to admission to Wisconsin General Hospital.

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

SECTION 1. 142.03 (1), (2) and (4) of the statutes are amended to read:

142.03 (1) The application shall contain a full statement of the financial situation of the person and a general statement of his physical condition, and shall be verified. The county judge, or any person he designates, shall make investigation and the supervisor for the town, village or ward of the legal settlement of the person shall supply to the * * * county judge, on request all material information within his knowledge and no compensation or expense shall be paid or allowed by the county to any supervisor supplying such material information. Whenever an application is submitted to a county judge for hospitalization of a crippled child at the Wisconsin orthopedic hospital for children under section 142.02, the judge shall submit a request for approval on blanks, supplied for the purpose, to the bureau for handicapped children of the state department of public instruction. The bureau for handicapped children shall report its approval of the request to the county judge and to the Wisconsin orthopedic hospital for children. It shall also send notice to the county judge as to when the hospital can admit the child.

(2) The judge if satisfied that the required facts exist, shall appoint a physician personally to examine the person. The physician shall make a verified report in writing, within such time as the * * * county judge shall direct, setting forth the nature and history of the case, and such other information as will be likely to aid in its treatment, and giving his opinion whether the condition of the person can probably be remedied, or should be treated, at a hospital, and whether the person can receive adequate treatment in the county, at home or in a hospital, and any information within the knowledge of the physician relative to his financial situation. The physician shall be paid by the county, \$5, and actual and necessary expenses. In the case of a crippled person for whom recommendation has been made for hospital treatment, by a recognized orthopedic surgeon, such recommendation may be accepted by the county judge as a reason for commitment of the crippled person to the designated or selected hospital.

(4) The faculty of the medical school of the university shall prepare blanks for examining physicians. Such blanks shall be printed by the university, and mailed to each county * * * judge upon request. Physicians shall report in duplicate on said blanks, and if the application is granted one copy shall be sent to the hospital.

SECTION 2. 142.04 and 142.05 of the statutes are amended to read:

142.04 If the * * * county judge shall be satisfied that the required facts exist and that the person should be treated at the Wisconsin general hospital, or at the Wisconsin orthopedic hospital for children, or if the person to be treated, or his guardian if he be under guardianship, selects either of said hospitals as the place of treatment, he shall so find and enter an order so directing except as provided in section 142.01 (2); provided, that patients shall not be certified, at joint county and state expense, as provided in section 142.08, in any one fiscal year from any county in which there is a hospital to the Wisconsin general hospital, in excess of 2 persons per 1,000 of the population or major fraction thereof in such county according to the last federal census. Patients certified to the Wisconsin general hospital in excess of the above quota in any year shall be maintained wholly at county expense. This limitation shall not apply to patients certified to the Wisconsin orthopedic hospital for children nor to counties in which there is no hospital. If he find the required facts and that the person can receive adequate treatment at home or in a hospital, at the same or less expense to the county, and the person to be treated shall not make the selection aforesaid, he shall enter an order directing such treatment, the place thereof, and the physician or physicians. If the * * * county judge is not so satisfied, he may make further investigation. If the * * * county judge does not find the required facts, he shall enter an order denying the application. If the * * * county judge denies the application of a child under 21 years, applying for care at the Wisconsin orthopedic hospital, * * * he shall report * * * his findings to the bureau for handicapped children of the state department of public instruction. Upon granting the application, he shall ascertain from the superintendent of the hospital whether the person can be received as a patient, and if he can the * * * county judge shall certify his order to the hospital and to the county clerk. The procedure for admission of children

under 21 years into the Wisconsin orthopedic hospital is governed by * * * section 142.03 (1).

142.05 (1) If the patient is unable to bear his expense to the place of treatment, and the county * * * *judge* shall so order, the county treasurer shall advance to the patient the necessary transportation and expenses out of the county treasury. Likewise, upon the patient's discharge from the place of treatment, the county judge may order transportation and expenses for the patient's return to his residence. If the patient is unable to travel alone to the place of treatment, the * * * *county judge* may appoint a suitable person to accompany him, and such person shall receive actual and necessary expenses, and, if not a salaried officer, a per diem of \$3 per day going and returning; and the same shall be paid by the county.

(2) If at the time of commitment the * * * *county judge* is satisfied that the patient is unable to bear the expense of returning to his residence or that he will not be able to return alone, * * * *he* may * * * authorize the hospital to pay such transportation and expense and may appoint a suitable person to accompany the patient and authorize the hospital to pay the actual and necessary expenses of such person and the per diem provided for in subsection (1). Any hospital making such payments shall be reimbursed by the county.

(3) In the case of crippled children to be admitted to the Wisconsin orthopedic hospital for children or any other hospital the county * * * *judge* may apply for aid to the bureau for handicapped children, state department of public instruction, for cost of transportation not to exceed railroad or bus fare and necessary taxi service for such patients, and any necessary attendant, if the parents or guardians are financially unable to pay such costs. If approval is granted by the bureau for handicapped children, state department of public instruction, reimbursement will be made to the county for funds so expended.

SECTION 3. 142.07 (1) and (1m) (a) and (1m) (b) of the statutes are amended to read:

142.07 (1) The Wisconsin general hospital shall treat patients so admitted at rates based on actual cost as determined by the board of regents of the university, but not in excess of \$5.90 per day for each certified patient; provided, that the rate of \$5.90 per day set forth herein may be increased by order of the emergency board when deemed necessary to meet rising costs of operation. Payments made by such patients shall be credited to their account. * * * *A patient* may be admitted without certificate, but the cost of * * * *his* care shall not be a joint charge against the state and county wherein he has a legal settlement, except when such * * * *patient* is admitted in an emergency pending action of the county * * * *judge*. If the * * * *county judge* grants the application the charges against state and such county shall date from his admission. An emergency shall include cases where, by reason of unforeseen physical conditions, a patient is detained in the hospital longer than anticipated and is thereby financially unable to bear the expense of treatment.

(1m) (a) The Wisconsin orthopedic hospital for children shall treat patients so admitted at rates based on actual cost as determined by the board of regents of the university, but not in excess of \$5.20 per day for each certified patient. The rate of \$5.20 per day set forth herein may be increased by order of the emergency board when deemed necessary to meet rising costs of operation. If the parents or guardian of the patient is able to pay the cost of hospitalization, he may be admitted without certificate, but the cost of his care shall not be a joint charge against the state and county wherein he has a legal settlement. In an emergency patients may be admitted without a certificate pending action of the county * * * *judge* and of the bureau for handicapped children of the state department of public instruction. When the * * * *county judge* certifies the application which has been approved by the bureau for handicapped children the charges against the state and the county shall date from his admission. For the purpose of this subsection an emergency case is one in which the physician in charge of the child believes that a delay in treatment is contrary to the best interests of the child. When it is not possible to obtain a report from the physician in charge of the child, an emergency may be determined by the physician in charge of admissions at the Wisconsin orthopedic hospital for children.

(b) Indian children whose orthopedic hospital care is to be paid from funds granted the office of Indian affairs, United States department of interior, shall be admitted to the Wisconsin orthopedic hospital for children or the Wisconsin general hospital at the same rates as are charged for children hospitalized through * * * application to the county *judge*. The procedure for admission of such Indian children shall be identical to the procedure for children admitted * * * to the Wisconsin orthopedic hospital for children upon application to the county *judge*.

SECTION 4. 142.08 (1m) of the statutes is amended to read:

142.08 (1m) One-half of the net cost of caring for a patient certified to the Wisconsin orthopedic hospital for children shall be paid by the state and one-half by the county of his legal settlement. At the time that the application for admittance of a patient to the Wisconsin orthopedic hospital for children is submitted to the bureau for handicapped children, the county * * * *judge* shall include a statement regarding the financial status of the parents or guardian and an agreement signed by the parents or guardian as to the amount of money which the parents or guardian will contribute toward the child's care in the hospital. All money so collected by the county * * * *judge* or the Wisconsin orthopedic hospital for children from parents or guardians shall be transmitted to the bureau for handicapped children of the state department of public instruction, to be deposited in the general fund. One-half of the amount received for each patient admitted through certification of the county * * * *judge* for care at the Wisconsin orthopedic hospital for children, shall be credited to the county on the account of each such patient. Financial arrangements for hospital care of children admitted * * * *by the county* * * * *judge* shall be made with parents or guardians of such children only by the county * * * *judge*, or by an agent designated by * * * *him*, or by the bureau for handicapped children of the state department of public instruction, with the knowledge of the county * * * *judge*.

Approved April 5, 1951.
