

No. 582, S.]

[Published August 17, 1961.

CHAPTER 394

AN ACT to amend 46.10 (1) and (2) and 51.24 (2); and to create 51.37 of the statutes, relating to outpatient services and supplies at institutions of the division of mental hygiene, state department of public welfare.

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

SECTION 1. 46.10 (1) and (2) of the statutes are amended to read:

46.10 (1) *Liability for outpatient services and supplies and for the maintenance of patients in the institutions specified in this section and the collection and enforcement of such liability is governed exclusively by this section.*

(2) *Any outpatient or patient in any charitable or curative institution of the state including the Wisconsin general hospital or of any county or municipality, in which the state is chargeable with all or a part of the patient's maintenance, except tuberculosis patients mentioned in ch. 50 and ss. 51.27 and 58.06 (2), or heretofore or hereafter committed or admitted to any such institution, and his property and estate, including his homestead, or the husband or wife of such patient and their property or estates, including their homesteads, and in the case of a minor child the father or mother of the patient, and their property and estates, including their homesteads, shall be liable for such patient's maintenance not exceeding the actual per capita cost thereof, except as provided in * * * ss. 51.22 (2m) and 51.37 (4), and the department may bring action for the enforcement of such liability, except that when it * * * is shown that a husband, wife, widow or minors, or an incapacitated person may be lawfully dependent upon such property for their support, the court shall give due regard to this fact and release all or such part of the property and estate*

from such charge that may be necessary to provide for such persons. The department shall make every reasonable effort to notify the relatives liable as soon as possible after the beginning of the maintenance but such notice or the receipt thereof is not a condition of liability of the relative.

SECTION 2. 51.24 (2) of the statutes is amended to read:

51.24 (2) The state shall compensate the county for the care and maintenance of patients in the hospital mentioned in sub. (1) who are maintained at public expense, at the rate of \$5 per week for each chronic case for the year beginning July 1, 1950 and annually thereafter at a rate determined in accordance with * * * s. 51.08 (1). For patients who are maintained at public expense the state shall compensate the county for each acute case at the rate of \$5 per week and, commencing July 1, 1951, at a rate equal in amount to the full average per capita cost of care and maintenance of patients in Mendota state hospital and Winnebago state hospital, *excluding the cost of outpatient care provided under s. 51.37*, minus the charge made by the state to counties pursuant to * * * s. 51.08. The average of the full per capita cost, *excluding the cost of outpatient care provided under s. 51.37*, of the Mendota state hospital and Winnebago state hospital for the fiscal year ending June 30 shall be the basis for computation of the compensation for the ensuing calendar year. When a patient is temporarily transferred from the hospital for mental diseases to the county hospital for physical or acute mental illness or surgical or medical care or all of them, such state compensation shall be paid for the period of such transfer.

SECTION 3. 51.37 of the statutes is created to read:

51.37 OUTPATIENT CLINIC SERVICES. (1) CREATION. The state department of public welfare (hereinafter referred to as "department") may establish a system of outpatient clinic services in any institution of the division of mental hygiene, said department.

(2) TITLE. This section may be cited as the outpatient clinic services section.

(3) PURPOSE. It is the purpose of this section to:

(a) Provide outpatient diagnostic and treatment services for patients or their families on self-referral, referral from physicians, or by referral from services of the department.

(b) Offer precommitment and preadmission evaluations and studies.

(4) LIABILITY AND COLLECTION. The director shall establish a fee schedule for such outpatient services and supplies. Liability for such services and supplies and the collection and enforcement of such liability shall be governed by s. 46.10.

(5) SEGREGATION OF COSTS. (a) The costs of outpatient services and supplies shall be segregated from the cost of inpatient services and supplies as prescribed by administrative order of the department.

(b) Such outpatient services and supplies shall be furnished at no cost to the county or to the referring agent.

Approved August 7, 1961.