

**1971 Senate Bill 401**

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**CHAPTER 158, Laws of 1971**

AN ACT to repeal 143.06 (6); and to amend 46.106 (2) and (3), 51.26 (1) (d) and 143.06 (3) of the statutes, relating to remedial legislation suggested by the department of health and social services.

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

SECTION 1. 46.106 (2) and (3) of the statutes are amended to read:

46.106 (2) On July 1 in each year the department shall prepare a statement of the amounts due from the several counties to the state for the maintenance, care and treatment of inmates at public charge in state and county charitable, curative, reformatory and penal institutions for the preceding fiscal year and shall give the name of every inmate in each state institution whose support is partly chargeable to some county, and the name of every inmate in each county institution whose support is wholly chargeable in the first instance to the state and partly chargeable over to some county; and the legal settlement of each inmate, the number of weeks for which support is charged, the amount due the county for mainte-

nance, and the amount due to the state from the county, ~~itemized as to board, clothing, dental, burial, surgical and transfer.~~ The department shall file such statement with the department of administration, and mail a duplicate to the clerk of each county charged. Thereupon the secretary of administration shall charge to the several counties the amounts so due, which amounts shall be certified by the secretary of state, upon information certified to him by the secretary of administration, and levied, collected and paid into the state treasury as a special charge, at the same time as the state taxes. The amount so paid into the state treasury on account of care of patients in county hospitals shall be apportioned and paid to the counties to which it is due, from time to time, in the proportion that the total collections from all counties for the care of such patients bear to the total charges against all counties for such care. The department of administration shall make the first apportionment and payment on April 1, in each year, covering collections to and including March 22. The collections made after March 22 and through August 20 shall be apportioned and paid on September 1 following, and the final payment shall be made on December 1.

(3) On July 1 in each year the officer in charge of each county charitable, curative, reformatory and penal institution shall prepare a statement of the amount due from the state to the county for the maintenance, care and treatment of inmates at public charge on forms supplied by the department. Such statement shall cover the preceding fiscal year and shall give the name of each inmate whose support is partly or wholly chargeable to the state; and his legal settlement, the number of weeks for which support is charged and the amount due to the county from the state, ~~itemized as to board, clothing, dental, burial, surgical, and transfer.~~ Said statement shall be verified by the officer making it and certified by the trustees of the institution to the department, and a duplicate thereof shall be forwarded to the county clerk. The department shall credit the county with the amount due the county for any recovery of maintenance and shall certify said statement to the department of administration, which shall pay the aggregate amount found due each county as provided in sub. (2).

SECTION 2. 51.26 (1) (d) of the statutes is amended to read:

51.26 (1) (d) Paragraph (a) shall not apply to the treatment of patients who do not have legal settlement in the county in which the patient is hospitalized until the hospital's reimbursement rate for such patients under s. 51.08 (3) and (4) is 110% of its individual average per capita cost. During the period in which any county hospital is allowed under s. 51.08 (3) and (4) to bill at more than 110% of such hospital's individual average per capita cost, the department shall determine eligibility for intensive treatment aids under this subsection based on the annual individual hospital report filed with the department under the mandatory uniform cost record-keeping requirement of s.46.18 (8), (9) and (10), and such determination of such hospital's eligibility for intensive treatment aids for patients who do not have legal settlement in the county in which the patient is hospitalized shall not be changed by a subsequent recalculation or audit report of any hospital's eligibility for intensive treatment aids. This paragraph shall not apply to treatment furnished from and after July 1, 1971.

SECTION 3. 143.06 (3) of the statutes is amended to read:

143.06 (3) No person with tuberculosis of the lungs or larynx, or any other disease whose ~~virus or~~ infecting agent is contained in the sputum or other secretions shall deposit his sputum, or other infectious secretion, in such a place as to cause offense or danger. He shall provide himself with a receptacle in which to deposit his sputum, or other infectious secretion, and the contents of said receptacle shall be burned or thoroughly disinfected.

SECTION 4. 143.06 (6) of the statutes is repealed.

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