

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 480**

November 3, 1999 – Offered by Representative GROTHMAN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 12: after “(c)” insert “1”.

3 **2.** Page 2, line 13: delete lines 13 to 25.

4 **3.** Page 3, line 1: delete lines 1 to 3 and substitute:

5 “**SECTION 3d.** 51.13 (1) (c) of the statutes is renumbered 51.13 (1) (c) 1. and
6 amended to read:

7 51.13 **(1)** (c) 1. If a minor 14 years of age or older wishes to be admitted to an
8 approved inpatient treatment facility but a parent with legal custody or the guardian
9 refuses to execute the application for admission or cannot be found, or if there is no
10 parent with legal custody, the minor or a person acting on the minor’s behalf may
11 petition the court assigned to exercise jurisdiction under chs. 48 and 938 in the
12 county of residence of the parent or guardian for approval of the admission. A copy

1 of the petition and a notice of hearing shall be served upon the parent or guardian
2 at his or her last-known address. If, after a hearing, the court determines that the
3 ~~parent or guardian's consent is~~ of the parent or guardian is being unreasonably
4 withheld ~~or~~, that the parent or guardian cannot be found or that there is no parent
5 with legal custody, and that the admission is proper under the standards prescribed
6 in sub. (4) (d), ~~it~~ the court shall approve the minor's admission without the parent
7 ~~or guardian's consent~~ of the parent or guardian.

8 3. The court may, at the minor's request, temporarily approve the admission
9 pending hearing on the petition. If a hearing is held under ~~this subsection~~ subd. 1.
10 or 2., no review or hearing under sub. (4) is required.

11 **SECTION 3g.** 51.13 (1) (c) 2. of the statutes is created to read:

12 51.13 **(1)** (c) 2. If a minor under 14 years of age wishes to be admitted to an
13 approved inpatient treatment facility but a parent with legal custody or the guardian
14 cannot be found, or if there is no parent with legal custody, the minor or a person
15 acting on the minor's behalf may petition the court assigned to exercise jurisdiction
16 under chs. 48 and 938 in the county of residence of the parent or guardian for
17 approval of the admission. A copy of the petition and a notice of hearing shall be
18 served upon the parent or guardian at his or her last-known address. If, after a
19 hearing, the court determines that the parent or guardian cannot be found or that
20 there is no parent with legal custody, and that the admission is proper under the
21 standards prescribed in sub. (4) (d), the court shall approve the minor's admission
22 without the consent of the parent or guardian.”.

23 **4.** Page 3, line 9: after “judge” insert “1. or 2”.

24 **5.** Page 4, line 2: after that line insert:

1 **“SECTION 5m.** 51.13 (1) (f) of the statutes is amended to read:

2 51.13 **(1)** (f) Admission under par. (c) 1. or 2. or (d) shall also be approved by
3 the treatment director of the facility or his or her designee, or in the case of a center
4 for the developmentally disabled, the director of the center or his or her designee, and
5 the director of the appropriate county department under s. 51.42 or 51.437 if the
6 county department is to be responsible for the cost of the minor’s therapy and
7 treatment, within 14 days of the minor’s admission.”.

8 **6.** Page 11, line 11: after “and” insert “1. or 2.”.

9 **7.** Page 13, line 15: delete lines 15 to 25 and substitute:

10 **“SECTION 25g.** 51.47 (1) of the statutes is amended to read:

11 51.47 **(1)** Except as provided in subs. (2) and (3), any physician or health care
12 facility licensed, approved or certified by the state for the provision of health services
13 may render preventive, diagnostic, assessment, evaluation or treatment services for
14 the abuse of alcohol or other drugs to a minor 12 years of age or over without
15 obtaining the consent of or notifying the minor’s parent or guardian and may render
16 those services to a minor under 12 years of age without obtaining the consent of or
17 notifying the minor’s parent or guardian, but only if a parent with legal custody or
18 guardian of the minor under 12 years of age cannot be found or there is no parent with
19 legal custody of the minor under 12 years of age. Unless consent of the minor’s parent
20 or guardian is required under sub. (2), the physician or health care facility shall
21 obtain the minor’s consent prior to billing a 3rd party for services under this section.
22 If the minor does not consent, the minor shall be solely responsible for paying for the
23 services, which the department shall bill to the minor under s. 46.03 (18) (b).”.

24

(END)