

**ASSEMBLY AMENDMENT 5,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 731**

March 30, 2000 – Offered by Representative GROTHMAN.

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

2 **1.** Page 3, line 8: after that line insert:

3 “**SECTION 4d.** 46.515 (4) (b) 1m. of the statutes is repealed.

4 **SECTION 4m.** 46.515 (6g) (a) of the statutes is amended to read:

5 46.515 **(6g)** (a) ~~Except as permitted or required under~~ Notwithstanding s.  
6 48.981 (2), no person may use or disclose any information concerning any individual  
7 who is selected for an assessment under sub. (4) (b), including an individual who  
8 declines to undergo the assessment, or concerning any individual who is offered  
9 services under a home visitation program funded under this section, including an  
10 individual who declines to receive those services, unless the use or disclosure is  
11 connected with the administration of the home visitation program or the

1 administration of the medical assistance program under ss. 49.43 to 49.497 or unless  
2 the individual has given his or her written informed consent to the use or disclosure.

3 **SECTION 4s.** 46.515 (6m) of the statutes is repealed.

4 **SECTION 4w.** 48.981 (2) of the statutes, as affected by 1999 Wisconsin Act ...  
5 (Senate Bill 106), is amended to read:

6 48.981 (2) PERSONS REQUIRED TO REPORT. A physician, coroner, medical  
7 examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or  
8 mental health professional, social worker, marriage and family therapist,  
9 professional counselor, public assistance worker, including a financial and  
10 employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or  
11 counselor, mediator under s. 767.11, child care worker in a day care center or child  
12 caring institution, day care provider, alcohol or other drug abuse counselor, member  
13 of the treatment staff employed by or working under contract with a county  
14 department under s. 46.23, 51.42 or 51.437, physical therapist, occupational  
15 therapist, dietitian, speech–language pathologist, audiologist, emergency medical  
16 technician or police or law enforcement officer having reasonable cause to suspect  
17 that a child seen in the course of professional duties has been abused or neglected  
18 or having reason to believe that a child seen in the course of professional duties has  
19 been threatened with abuse or neglect and that abuse or neglect of the child will occur  
20 shall, except as provided under sub. (2m) and s. 46.515 (6g) (a), report as provided  
21 in sub. (3). A court–appointed special advocate having reasonable cause to suspect  
22 that a child seen in the course of the court–appointed special advocate’s activities  
23 under s. 48.236 (3) has been abused or neglected or having reason to believe that a  
24 child seen in the course of those activities has been threatened with abuse or neglect  
25 and that abuse or neglect of the child will occur shall, except as provided in sub. (2m),

1 report as provided in sub. (3). Any other person, including an attorney, except as  
2 provided in s. 46.515 (6g) (a), having reason to suspect that a child has been abused  
3 or neglected or reason to believe that a child has been threatened with abuse or  
4 neglect and that abuse or neglect of the child will occur may make such a report. Any  
5 person, including an attorney having reason to suspect that an unborn child has been  
6 abused or reason to believe that an unborn child is at substantial risk of abuse may  
7 report as provided in sub. (3). No person making a report under this subsection may  
8 be discharged from employment for so doing.

9 **SECTION 4x.** 48.981 (2) of the statutes, as affected by 1999 Wisconsin Acts ....  
10 (Senate Bill 106), .... (Assembly Bill 521) and .... (this act), is repealed and recreated  
11 to read:

12 **48.981 (2) PERSONS REQUIRED TO REPORT.** A physician, coroner, medical  
13 examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or  
14 mental health professional, social worker, marriage and family therapist,  
15 professional counselor, public assistance worker, including a financial and  
16 employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or  
17 counselor, mediator under s. 767.11, child care worker in a day care center or child  
18 caring institution, day care provider, alcohol or other drug abuse counselor, member  
19 of the treatment staff employed by or working under contract with a county  
20 department under s. 46.23, 51.42 or 51.437, physical therapist, occupational  
21 therapist, dietitian, speech–language pathologist, audiologist, emergency medical  
22 technician, first responder or police or law enforcement officer having reasonable  
23 cause to suspect that a child seen in the course of professional duties has been abused  
24 or neglected or having reason to believe that a child seen in the course of professional  
25 duties has been threatened with abuse or neglect and that abuse or neglect of the

1 child will occur shall, except as provided under sub. (2m) and s. 46.515 (6g) (a), report  
2 as provided in sub. (3). A court–appointed special advocate having reasonable cause  
3 to suspect that a child seen in the course of the court–appointed special advocate’s  
4 activities under s. 48.236 (3) has been abused or neglected or having reason to believe  
5 that a child seen in the course of those activities has been threatened with abuse or  
6 neglect and that abuse or neglect of the child will occur shall, except as provided in  
7 sub. (2m), report as provided in sub. (3). Any other person, including an attorney,  
8 except as provided in s. 46.515 (6g) (a), having reason to suspect that a child has been  
9 abused or neglected or reason to believe that a child has been threatened with abuse  
10 or neglect and that abuse or neglect of the child will occur may make such a report.  
11 Any person, including an attorney having reason to suspect that an unborn child has  
12 been abused or reason to believe that an unborn child is at substantial risk of abuse  
13 may report as provided in sub. (3). No person making a report under this subsection  
14 may be discharged from employment for so doing.”.

15 **2.** Page 4, line 21: delete lines 21 to 23 and substitute:

16 “**SECTION 9x. Effective dates.** This act takes effect on July 1, 2000, except as  
17 follows:

18 (1) The repeal and recreation of section 48.981 (2) of the statutes takes effect  
19 on the first day of the 7th month beginning after publication of 1999 Wisconsin Act  
20 .... (Assembly Bill 521).”.

21 (END)