

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB795)

Received: 03/07/2000

Received By: mdsida

Wanted: Today

Identical to LRB:

For: Scott Walker (608) 266-9180

By/Representing: Missy

*email:
Melissa
Gilbert*

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Alt. Drafters:

Subject: Correctional System - jails
Correctional System - prisons

Extra Copies: dak
jeo

Pre Topic:

No specific pre topic given

Topic:

Prisoner medical records

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			jfrantze 03/07/2000	_____	lrb_docadmin 03/07/2000	lrb_docadmin 03/07/2000	

FE Sent For:

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*Please e-mail
to Melissa Gilbert
in Rep.
Walker's office.*

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1/?	mdsida	1 3/4 <i>JS</i>	<i>JS</i>	<i>JS</i>			

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State of Wisconsin
1999 - 2000 LEGISLATURE

s03861

LRBs0852/2
MGD/jg/jf

NOW!

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 795

Regen

1 AN ACT to amend 146.81 (4); and to create 146.82 (2) (a) 20., 252.15 (5) (a) 20.
2 and 302.388 of the statutes; relating to: prisoner medical records.

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

3 SECTION 1. 146.81 (4) of the statutes is amended to read:

4 146.81 (4) "Patient health care records" means all records related to the health
5 of a patient prepared by or under the supervision of a health care provider, including
6 the records required under s. 146.82 (2) (d) and (3) (c), but not those records subject
7 to s. 51.30, reports collected under s. 69.186, records of tests administered under s.
8 252.15 (2) (a) 7., 343.305, 938.296 (4) or 968.38 (4), fetal monitor tracings, as defined
9 under s. 146.817 (1), or a pupil's physical health records maintained by a school
10 under s. 118.125. "Patient health care records" also includes health summary forms
11 prepared under s. 302.388 (2).

12 SECTION 2. 146.82 (2) (a) 20. of the statutes is created to read:

1 (f) "Prisoner" means any person who is either arrested, incarcerated,
2 imprisoned or otherwise detained in a jail or prison but does not include any of the
3 following:

4 1. Any person who is serving a sentence of detention under s. 973.03 (4) unless
5 the person is in the county jail under s. 973.03 (4) (c).

6 2. Any child held in custody under ss. 48.19 to 48.21.

7 3. Any child participating in the mother-young child care program under s.
8 301.049.

9 4. A juvenile held in a jail under s. 938.209.

10 (g) "Receiving institution intake staff" means one of the following:
11 *the warden or superintendent or his or her designee,*
12 *the Department medical staff, if a prisoner is transferred to a prison, or*
13 *the jailer or his or her designee, if a prisoner is transferred to a jail.*

14 (2) HEALTH SUMMARY FORM. (a) The department shall provide each jailer a
15 standardized form for recording the medical conditions and history of prisoners
16 being transferred to the department or another county's jail. Except as provided in
17 par. (b), jail medical staff shall complete the form and provide it to the receiving
18 institution intake staff at the time of each such transfer.

19 (b) If the jail does not have medical staff on duty at the time of a transfer, the
20 officer in charge shall complete as much of the form as possible and provide it to the
21 receiving institution intake staff at the time of the transfer. The jailer shall ensure
22 that all of the following occur within 24 hours after the transfer:

23 1. The jail medical staff, the prisoner's health care provider or, if the prisoner
24 does not have a health care provider, a health care provider under contract with the
jail reviews the form provided to the receiving institution at the time of the transfer.


1 while he or she has been confined in a prison or jail and from other prisons or jails
2 in which the prisoner has been confined.

3 (END)

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or (d),[✓] to the medical staff of a jail to which a prisoner is being transferred, if the results are provided to the medical staff by the department of corrections as part of the prisoner's medical file^g 

INSERT 4/8

(d) If the prison does not have medical staff on duty at the time of a transfer, the officer in charge shall complete as much of the form as possible and provide it to the receiving institution intake staff at the time of the transfer. The[✓] department shall ensure that all of the following occur[✓] within 24 hours after the transfer, unless the prisoner returns to the prison within that time:

1. The prison medical staff, the prisoner's health care provider or, if the prisoner does not have a health care provider, a health care provider under contract with the department reviews the form provided to the receiving institution at the time of the transfer.

2. The medical staff or health care provider reviewing the form corrects any errors in the form and includes in it any additional available information.

3. The medical staff or health care provider reviewing the form transmits the updated form or the information included on the form by the quickest available means to the receiving institution intake staff.

(e) Paragraph (c)[✓] does not apply if the department provides a copy of the prisoner's complete medical file to the receiving institution intake staff at the time of the transfer.