

SENATE BILL 264 (LRB -2867)

An Act to repeal 905.04 (4) (e) 1. and 905.04 (4) (e) 2.; and to create 905.04 (4) (e) 2m. of the statutes; relating to: the reporting of child abuse or neglect exemption for privileged information.

2007

09-11.	S.	Introduced by Senators Erpenbach, Vinehout, Lassa, Harsdorf, Darling, Roessler and Olsen ; cosponsored by Representatives Strachota, Hines, Boyle, Parisi, Berceau, Zepnick, Grigsby, Sheridan, Pope-Roberts, Musser, Ballweg and Hraychuck .	
09-11.	S.	Read first time and referred to committee on Health and Human Services	327
10-17.	S.	Public hearing held.	
11-06.	S.	Rereferred to committee on Health, Human Services, Insurance, and Job Creation, by committee on Senate Organization, pursuant to Senate Rule 20 (1)(c)	409
12-04.	S.	Senate amendment 1 offered by Senator Erpenbach (LRB a0927)	448
12-05.	S.	Executive action taken.	
12-05.	S.	Report adoption of Senate Amendment 1 recommended by committee on Health, Human Services, Insurance, and Job Creation, Ayes 7, Noes 0	452
12-05.	S.	Report passage as amended recommended by committee on Health, Human Services, Insurance, and Job Creation, Ayes 7, Noes 0	452
12-05.	S.	Available for scheduling.	

2008

01-09.	S.	Placed on calendar 1-15-2008 by committee on Senate Organization.	
01-15.	S.	Read a second time	506
01-15.	S.	Senate amendment 1 adopted	506
01-15.	S.	Ordered to a third reading	506
01-15.	S.	Rules suspended	506
01-15.	S.	Read a third time and passed	506
01-15.	S.	Ordered immediately messaged	508
01-17.	A.	Received from Senate	445
01-17.	A.	Read first time and referred to committee on Rules	446
01-23.	A.	Rules suspended to withdraw from committee on Rules and take up.	
01-23.	A.	Read a second time.	
01-23.	A.	Ordered to a third reading.	
01-23.	A.	Rules suspended.	
01-23.	A.	Read a third time and concurred in .	
01-23.	A.	Ordered immediately messaged.	
01-24.	S.	Received from Assembly concurred in.	

gmb

2007
ENROLLED BILL

07en S B-264

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

07-2807/1

Amendments to above (if none, write "NONE"): SA-1 to SB 264
a 0927/2

Corrections - show date (if none, write "NONE"): None

Topic REPORTING OF CHILD ABUSE^{OK} / NEGLECT EXEMPTION
FOR PRIVILEGED INFORMATION

1/24/08
Date

CMT
Enrolling Drafter

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2007 SENATE BILL 264

September 11, 2007 – Introduced by Senators ERPENBACH, VINEHOUT, LASSA, HARSDORF, DARLING, ROESSLER and OLSEN, cosponsored by Representatives STRACHOTA, HINES, BOYLE, PARISI, BERCEAU, ZEPNICK, GRIGSBY, SHERIDAN, POPE-ROBERTS, MUSSER, BALLWEG and HRAYCHUCK. Referred to Committee on Health and Human Services.

- 1 **AN ACT to repeal** 905.04 (4) (e) 1. and 905.04 (4) (e) 2.; and **to create** 905.04 (4)
2 (e) 2m. of the statutes; **relating to:** the reporting of child abuse or neglect
3 exemption for privileged information.

Analysis by the Legislative Reference Bureau

Under current law, confidential communications between a patient and a physician, registered nurse, chiropractor, psychologist, social worker, marriage and family therapist, or professional counselor are privileged and may not be disclosed to any other person without the patient's permission. There are a number of exceptions to this privilege, including situations where the examination of an abused or neglected child creates a reasonable ground for the opinion by the physician, registered nurse, chiropractor, psychologist, social worker, marriage and family therapist, or professional counselor that the abuse or neglect was not accidental. Current law regarding privilege defines "abuse" and "neglect" by reference to definitions in the Children's Code.

This bill provides that there is no privilege for information contained in a report of child abuse or neglect provided under the Children's Code section that requires a large number of professionals, including all of the professionals listed in current law under the privilege statute, to report possible child abuse or neglect.

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

SENATE BILL 264

1 SECTION 1. 905.04 (4) (e) 1. of the statutes is repealed.

2 SECTION 2. 905.04 (4) (e) 2. of the statutes is repealed.

3 SECTION 3. 905.04 (4) (e) 2m. of the statutes is created to read:

4 905.04 (4) (e) 2m. There is no privilege for information contained in a report
5 of child abuse or neglect that is provided under s. 48.981 (3) when that report is
6 required under s. 48.981 (2).

7 (END)

SA-1

**SENATE AMENDMENT 1,
TO 2007 SENATE BILL 264**

December 4, 2007 - Offered by Senator ERPENBACH.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 5: delete "when that report is".

3 **2.** Page 2, line 6: delete "required under s. 48.981 (2)".

4 (END)