

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:

