

2007 ASSEMBLY BILL 173

March 12, 2007 – Introduced by Representatives GRIGSBY, ZEPNICK, BERCEAU, CULLEN, FIELDS, MOLEPSKE, SINICKI, TOLES, A. WILLIAMS, YOUNG, GUNDERSON, MURSAU and A. OTT, cosponsored by Senators LEHMAN, COGGS, ERPENBACH, LASSA, MILLER, TAYLOR, WIRCH and DARLING, by request of Wisconsin Council on Mental Health. Referred to Committee on Health and Healthcare Reform.

1 **AN ACT to repeal** 15.197 (1) (a), 15.197 (1) (b), 15.197 (1) (c) and 15.197 (1) (d);
2 **and to renumber and amend** 15.197 (1) (intro.) of the statutes; **relating to:**
3 membership of the Council on Mental Health.

Analysis by the Legislative Reference Bureau

Under current state law, the Council on Mental Health in the Department of Health and Family Services is required to consist of 15 members, nominated by the secretary of health and family services and appointed by the governor, who include representatives of consumers of mental health services and consumer family members; private mental health services organizations or groups; mental health service providers; and state and county agencies.

Under current federal law, as a condition for receipt of moneys under a federal mental health block grant, a state must establish and maintain a mental health planning council. Membership of the council must include representatives of principal state agencies with respect to mental health, education, vocational rehabilitation, criminal justice, housing, and social services and with respect to development of the state plan for Medical Assistance. Membership must also include representatives of public and private mental health service entities; adults with serious mental illnesses who are receiving or have received mental health services; and the families of those adults or families of children with emotional disturbances. Of this membership, at least 50 percent must be individuals who are not state employees or providers of mental health services.

This bill increases the required number of members of the Council on Mental Health to be not less than 21 nor more than 25. The bill eliminates all requirements

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for representation of agencies and groups and all requirements for proportions of total membership and, instead, requires that the members include representatives of groups and a proportion of members as specified in federal law. The bill includes provisions to stagger the lengths of terms of initial members of the expanded membership.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 15.197 (1) (intro.) of the statutes is renumbered 15.197 (1) and
2 amended to read:

3 15.197 (1) COUNCIL ON MENTAL HEALTH. There is created in the department of
4 health and family services a council on mental health consisting of ~~15~~ not less than
5 21 nor more than 25 members nominated by the secretary of health and family
6 services and appointed by the governor for staggered 3-year terms. Persons
7 appointed to the council on mental health shall ~~have a recognized interest in and~~
8 ~~demonstrated knowledge of the problems of mental health. At least one-half of the~~
9 ~~members shall be consumers of mental health services or persons who do not provide~~
10 ~~mental health services. The council shall include representatives of all of the~~
11 following: groups and a proportion of members as specified in 42 USC 300x-3 (c), as
12 amended to the effective date of this subsection [revisor inserts date].

13 **SECTION 2.** 15.197 (1) (a) of the statutes is repealed.

14 **SECTION 3.** 15.197 (1) (b) of the statutes is repealed.

15 **SECTION 4.** 15.197 (1) (c) of the statutes is repealed.

16 **SECTION 5.** 15.197 (1) (d) of the statutes is repealed.

17 **SECTION 6. Nonstatutory provisions.**

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1 (1) MEMBERSHIP OF COUNCIL ON MENTAL HEALTH. Notwithstanding the length of
2 terms specified for the members of the council on mental health under section 15.197
3 (1) of the statutes, as affected by this act, 2 initial members of the expanded
4 membership shall be appointed for terms expiring on July 1, 2011, 2 initial members
5 of the expanded membership shall be appointed for terms expiring on July 1, 2012,
6 and 2 initial members of the expanded membership shall be appointed for terms
7 expiring on July 1, 2013.

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(END)