



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2007 Wisconsin Act 53
[2007 Senate Bill 264]

**Child Abuse and Neglect Reports
and Privileged Information**

Currently, a patient has a privilege to refuse to disclose and to prevent other persons from disclosing confidential communications made or information obtained or disseminated for purposes of diagnosis or treatment of the patient's physical, mental, or emotional condition, among the patient, or the patient's physician, registered nurse, chiropractor, psychologist, social worker, marriage and family therapist, professional counselor or persons, including members of the patient's family, who are participating in the diagnosis or treatment under the direction of one of the specified providers.

Prior to 2007 Wisconsin Act 53, there was no privilege for refusing to disclose information in situations where the examination of an abused or neglected child created a reasonable ground for an opinion of one of the specified providers that the abuse or neglect was other than accidentally caused or inflicted by another.

Act 53 repeals the exception to the privilege, as described in the previous paragraph. In its place, the Act states that there is no privilege for information contained in a report of child abuse or neglect that is provided under s. 48.981 (3), Stats.

Effective Date: 2007 Wisconsin Act 53 takes effect on February 23, 2008.

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LR:jb;ksm

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.