



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 264

Senate Amendment 1

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Under *current law*, 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. However, current law states that there is no privilege in situations where the examination of an abused or neglected child creates 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.

Senate Bill 264 repeals the exception to the privilege, as described in the previous paragraph. In its place, the bill 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., when that report is required under s. 48.981 (2), Stats.

Senate Amendment 1 eliminates from the bill the language "when that report is required under s. 48.981 (2)", so that the bill is not limited just to required reports.

Legislative History

The Senate Committee on Health, Human Services, Insurance, and Job Creation recommended adoption of Senate Amendment 1, and passage of the bill as amended, both on votes of Ayes, 7; Noes, 0.

RNS:jb:jal