



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 252
[2017 Assembly Bill 782]

**Release of Information
to Care Providers**

Wisconsin statutes generally prohibit the release of any mental health treatment record without the informed written consent of the individual who is the subject of the record. 2017 Wisconsin Act 252 creates an exception to the prohibition regarding the release of mental health treatment records, in certain cases.

The exception created under the Act applies to mental health treatment records of a child placed in out-of-home care, such as in a foster home, group home, shelter care facility, or home of a relative other than a parent. The Act provides that when a child is placed in out-of-home care, a health care provider may disclose without informed written consent a portion, but not a copy, of a mental health treatment record of the child that the provider reasonably believes is necessary for the proper care of the child, such as the diagnosis, treatment plan, and medication management plan. The disclosure may be made to a child welfare agency or out-of-home care provider, as defined under the Act.

Effective date: April 6, 2018

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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.wisconsin.gov>.