



2019 ASSEMBLY BILL 633

1 **AN ACT to amend** 51.15 (2) (a) and 51.15 (3); and **to create** 49.45 (29x) and 51.15
2 (2) (e) of the statutes; **relating to:** transport for emergency detention.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 49.45 (29x) of the statutes is created to read:
4 49.45 (29x) EMERGENCY DETENTION TRANSPORT REIMBURSEMENT. (a) Subject to
5 par. (b), the department shall provide reimbursement as provided under s. 49.46 (2)
6 (b) 3. to counties for transport of individuals who are recipients of medical assistance
7 for purposes of emergency detention under s. 51.15 (2) as provided under s. 51.15 (2)
8 (e). The department shall establish criteria that any 3rd-party vendor that is not
9 a law enforcement agency or ambulance service provider must meet in order for the
10 county to obtain reimbursement for transport provided by that 3rd-party vendor
11 under the Medical Assistance program.

ASSEMBLY BILL 633**SECTION 1**

1 (b) The department shall request any necessary federal approval required to
2 provide reimbursement under par. (a) and, if approval is granted or if no federal
3 approval is required, the department shall provide reimbursement as provided
4 under par. (a). If federal approval is necessary but not granted, the department may
5 not provide reimbursement under par. (a).

6 **SECTION 2.** 51.15 (2) (a) of the statutes is amended to read:

7 51.15 (2) (a) Subject to par. (b), the law enforcement officer or other person
8 authorized to take a child into custody under ch. 48 or to take a juvenile into custody
9 under ch. 938 shall transport the individual, or cause him or her to be transported,
10 for detention, if the county department of community programs in the county in
11 which the individual was taken into custody approves the need for detention, and for
12 evaluation, diagnosis, and treatment if permitted under sub. (8). A law enforcement
13 agency may also contract with another law enforcement agency, an ambulance
14 service provider, or a 3rd-party vendor to transport an individual for detention as
15 set forth in this paragraph if the agency, provider, or vendor agrees to provide the
16 transport.

17 **SECTION 3.** 51.15 (2) (e) of the statutes is created to read:

18 51.15 (2) (e) Subject to s. 49.45 (29x), a county may obtain reimbursement
19 through the Medical Assistance program under subch. IV of ch. 49 for transport of
20 an individual for purposes of emergency detention if all of the following are true:

21 1. The individual transported is a medical assistance recipient.

22 2. The transport is provided by a law enforcement agency or an entity that
23 contracts with a law enforcement agency under sub. (2) (a).

