

## Chapter PW-MH 60

## MENTAL HYGIENE

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**PW-MH 60.01 History:** Cr. Register, February, 1959, No. 38, eff. 3-1-59; r. Register, August, 1972, No. 200, eff. 9-1-72.

**PW-MH 60.02 Traffic and conduct on Mendota State Hospital property.** (1) DEFINITIONS. Unless the context otherwise requires:

(a) "Department" is the Wisconsin State Department of Public Welfare.

(b) "Hospital" is the Mendota State Hospital.

(c) "Superintendent" is the Superintendent of the Mendota State Hospital.

(d) "Road" or "driveway" includes courts, circles, drives and lanes.

(2) POLICE OFFICERS. Such persons as shall be authorized by the hospital superintendent as to the hospital property shall be constituted police officers and shall have the power to enforce these rules and regulations, and for the purposes thereof shall police the properties under their respective jurisdictions. Such officers shall have all the powers provided in section 46.05 (2), Wis. Stats., except where such powers are specifically limited or modified by the department. Said police officers shall be identified by an appropriate shield or badge bearing the words "Police, Mendota State Hospital", and bearing a number, which badge shall be conspicuously worn when enforcing these regulations. Such officers may warn motor vehicle operators regarding defective equipment and require the owners to have the defects repaired.

(3) MOTOR VEHICLE REGULATIONS. (a) 1. No person not holding a valid and current operator's license issued under chapter 343, Wis. Stats., shall operate any motor vehicle on any roadway, driveway or parking lot of the hospital unless exempt under the provisions of section 343.05 (2), Wis. Stats., from the requirement that he hold such a license in order to operate a motor vehicle on the highways of this state, and no person shall operate a motor vehicle on said grounds except on what clearly appears to be driveways, roadways or parking lots.

2. No person shall operate any motor vehicle on any driveway, roadway or parking lot of the hospital unless the same has been prop-

erly registered as provided by chapter 341, Wis. Stats., unless exempt under an applicable provision of section 341.05, Wis. Stats., from the requirement that the vehicle be registered in order that it may be operated on the highways of this state.

(b) All provisions of chapter 346, Wis. Stats., entitled "Rules of the Road", which are applicable to highways as defined in section 340.01 (22), Wis. Stats., are hereby adopted for the regulation of traffic on the roadways and driveways under the control of the superintendent except as follows:

1. Provisions of chapter 346, Wis. Stats., which are in conflict with any specific provision of these regulations.
2. Penalty provisions of chapter 346, Wis. Stats.
3. Sections 346.61 through 346.74, Wis. Stats.

(4) **PARKING.** (a) Parking is prohibited at all times on the hospital grounds, roadways and driveways, except that the superintendent of the hospital or his designated representative (as to the hospital property) are authorized to establish necessary parking areas on the properties under his jurisdiction, including areas having parking spaces reserved for specified persons and areas as appropriate and safe for parking for specific groups at specific times, providing such areas are properly posted.

(b) Parking in any reserved parking area is prohibited to persons other than those specifically assigned to such area by the superintendent; and motor vehicles so assigned to any of the reserved parking areas shall be identified by an appropriate parking permit affixed to the rear bumper of vehicle so designated by the superintendent.

(c) Parking is prohibited at all times in areas which must be kept clear for the passage of fire apparatus. Said areas shall be designated by the proper superintendent by standard signs reading, "Fire Zone, No Parking At Any Time, Day or Night".

(d) Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. Such areas shall be designated by the proper superintendent by standard signs reading, "Loading Zone, 30-Minute Limit, Day or Night".

(e) Parking is prohibited at all times as follows:

1. In a driveway.
2. In a firelane.
3. Across a line marking the outside limits of a parking stall.
4. Overtime in a zone having a maximum designated time limit for parking.
5. In a stall already occupied in whole or in part by another motor vehicle.
6. In any area designated as a "no parking" zone.
7. Within 4 feet of the outside limits of any loading or unloading dock or zone.

(f) Motor vehicles parked in a restricted parking area without a permit, or motor vehicles parked in a fire zone, loading zone or no parking zone, or in a parking area at time when parking therein is prohibited, and unlicensed or partially dismantled motor vehicles, may be towed off the premises and stored at the owner's expense.

administrators and the public. When indicated, the board shall make recommendations for changes in program and services.

5. Assist in arranging and promoting local financial support for the program from private and public sources.

6. Assist in arranging cooperative working agreements with other public and private, health, vocational and welfare services, and with other related agencies.

7. Establish fee schedules based upon ability to pay.

8. Review the fiscal practices, the annual plan and budget, and make recommendations.

(5) **POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.** (a) All records shall be available for review by appropriate department of health and social services' staff to ensure compliance with federal/state standards and statutes.

(b) The department shall review and evaluate local programs and approve all personnel and their performances. It shall have the power to withdraw funds from any program which is not being administered in accordance with the statutes, its eligibility rules, prescribed standards, approved plan, and approved budget.

(c) The department at its discretion may make exceptions to any standard when it is assured that the granting of such an exception will not be detrimental to the mentally handicapped person receiving the day services. All appeals to the department of health and social services shall be initiated through community day services board action.

(d) A new agency or program center added to a previously approved program in a community, that is, where a day care services board has already been established, shall be regarded by the state as program expansion and will be considered for funding only at the time of the yearly reapplication for the new fiscal year beginning each July 1.

**History:** Cr. Register, September, 1972, No. 201, eff. 10-1-72.

**PW-MH 60.40 State aid for interest expense.** (1) **PURPOSE.** The purpose of this rule is to define the term "mental health facilities" as used in section 51.40, Wis. Stats.

(2) **DEFINITION OF MENTAL HEALTH FACILITY.** For the purpose of obtaining state aid payable under section 51.40, Wis. Stats., to counties which have an existing obligation to pay interest on loans for the construction of mental health facilities, the term "mental health facilities" means a facility which provides services authorized under the provisions of chapter 51, Wis. Stats.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72.

**PW-MH 60.50 Community developmental disabilities services.** (1) **DEFINITIONS.** The following definitions shall be used for purposes of interpreting and administering the developmental disabilities services act:

(a) "Developmental disability"\* means a disability attributable to mental retardation, cerebral palsy, epilepsy, or other neurological condition closely related to mental retardation or requiring treatment

\*Definition is taken from chapter 322, Laws of 1971, published June 8, 1972.

similar to that required for mentally retarded, which disability has originated before the individual has attained 18 years of age, has continued or can be expected to continue indefinitely and constitutes a substantial handicap to the afflicted individual.

(b) "Services" means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical or economic habilitation or rehabilitation of an individual with such a disability, and includes diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with a developmental disability and his family, protective and other social and sociolegal services, information and referral services, follow along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

(2) ADMINISTRATIVE STRUCTURE. The county board or boards of supervisors of any county or combination of counties shall establish a community developmental disabilities services board in accordance with section 51.437 (2) and (4) or (5), Wis. Stats. The community developmental disabilities services board shall appoint a director of the program, in accordance with section 51.437 (6) (a), Wis. Stats.

(3) ELIGIBILITY. Any county or combination of counties shall be eligible for state grants-in-aid to operate programs under these rules, upon approval of their plan and budget. The plan and budget to be submitted shall include an annual comprehensive plan and budget of all funds necessary for the program and services authorized by section 51.437, Wis. Stats. This plan shall include a description of the existing and planned services for the developmentally disabled to include:

- (a) Evaluation service
- (b) Diagnostic service
- (c) Treatment service
- (d) Day care service
- (e) Training service
- (f) Education service (services not provided in public schools)
- (g) Sheltered employment service
- (h) Recreation service
- (i) Personal care service
- (j) Domiciliary care service
- (k) Special living arrangements service
- (l) Counseling service
- (m) Information and referral service
- (n) Follow along service
- (o) Protective and other social and sociolegal service
- (p) Transportation
- (q) Inservice training for board members
- (r) Continuing education for staff
- (s) Research and evaluation

(4) STANDARDS FOR QUALIFICATIONS AND SALARIES OF PERSONNEL.

(a) *Administrative.* 1. Director.

a. The director shall have been graduated from an accredited college with a graduate degree in psychology, social work, rehabilita-

tion, special education, hospital administration, medicine, or a related field. He shall have had, in addition, progressively responsible experience in this or a related field.

b. An equivalent combination of training and experience may be substituted for these requirements, in considering personnel having held responsible administrative positions in this or related fields.

(b) *Program personnel.* Qualifications of program personnel are those established for approval of programs under section 51.38, Wis. Stats., through Wis. Adm. Code section PW-MH 60.30.

(5) **QUALITY OF PROFESSIONAL SERVICES.** Services for the developmentally disabled provided under section 51.437, Wis. Stats., shall meet the standards established for such programs by Wis. Adm. Code section PW-MH 60.30, and other applicable codes.

(6) **REQUIREMENTS FOR INSERVICE AND EDUCATION LEAVE PROGRAMS FOR PERSONNEL.** Personnel policies shall incorporate provisions for inservice training and education leave programs for program personnel.

(7) **ELIGIBILITY OF CLIENTS.** No developmentally disabled person shall be denied service on the basis of race, color, sex, creed, location, or inability to pay.

**History:** Cr. Register, July, 1973, No. 211, eff. 8-1-73.