

1987 Assembly Bill 769

Date of enactment: April 14, 1988
Date of publication: April 21, 1988

1987 Wisconsin Act 269

AN ACT to amend 53.38 (5); and to create 53.384 of the statutes, relating to refusal by prisoners of appropriate care or treatment.

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

SECTION 1. 53.38 (5) of the statutes is created to read:

53.38 (5) This section does not require the sheriff or keeper of the jail to provide or arrange for the provision of appropriate care or treatment if the prisoner refuses appropriate care or treatment.

SECTION 2. 53.384 of the statutes is created to read:

53.384 Procedure if a prisoner refuses appropriate care or treatment. A sheriff, jailer, keeper of any prison, jail or house of correction and the arresting officer are immune from civil liability for any acts or

omissions that occur as result of a good faith effort to allow a prisoner to refuse appropriate care or treatment if all of the following occur:

(1) A sheriff, jailer, keeper or officer arranges for a health care professional, as defined in s. 154.01 (3), to observe the prisoner.

(2) The health care professional informs the prisoner of the availability of appropriate care or treatment.

(3) The health care professional indicates on records kept by a sheriff, jailer, keeper or officer that appropriate care or treatment was offered and that the prisoner refused that care or treatment.
