

State of Wisconsin



2005 Assembly Bill 33

Date of enactment: **May 30, 2006**
Date of publication*: **June 13, 2006**

2005 WISCONSIN ACT 485

AN ACT *to renumber and amend* 51.30 (4) (b) 13.; and *to create* 51.30 (4) (cm) 1. and 51.30 (4) (cm) 2. of the statutes; **relating to:** an exception to confidentiality requirements for treatment records.

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

SECTION 1. 51.30 (4) (b) 13. of the statutes is renumbered 51.30 (4) (cm) (intro.) and amended to read:

51.30 (4) (cm) (intro.) Required access to certain information. ~~To the parents, children~~ **Notwithstanding par. (a), treatment records of an individual shall, upon request, be released without informed written consent, except as restricted under par. (c), to the parent, child, sibling,** or spouse of an individual who is or was a patient at an inpatient facility; to a law enforcement officer who is seeking to determine whether an individual is on unauthorized absence from the facility; and to mental health professionals who are providing treatment to the individual at the time that the information is released to others. Information released under this ~~subdivision~~ paragraph is limited to notice as to whether or not an individual is a

patient at the inpatient facility; and, if the individual is no longer a patient at the inpatient facility, the facility or other place, if known, at which the individual is located. This paragraph does not apply under any of the following circumstances:

SECTION 2. 51.30 (4) (cm) 1. of the statutes is created to read:

51.30 (4) (cm) 1. To the individual's parent, child, sibling, or spouse who is requesting information, if the individual has specifically requested that the information be withheld from the parent, child, sibling, or spouse.

SECTION 3. 51.30 (4) (cm) 2. of the statutes is created to read:

51.30 (4) (cm) 2. If, in the opinion of the inpatient facility, there is reasonable cause to believe that disclosure of the information would result in danger to the individual.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].