

State of Wisconsin



2021 Senate Bill 395

Date of enactment: **February 4, 2022**
Date of publication*: **February 5, 2022**

2021 WISCONSIN ACT 122

AN ACT *to amend* 46.90 (5) (b) (intro.), 55.043 (1r) (a) 1g. and 55.043 (1r) (b) (intro.) of the statutes; **relating to:** responses to reports relating to elder adults at risk and adults at risk.

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

SECTION 1. 46.90 (5) (b) (intro.) of the statutes is amended to read:

46.90 (5) (b) (intro.) The elder-at-risk agency's response or another investigative agency's investigation ~~may~~ shall include at least one or more of the following:

SECTION 2. 55.043 (1r) (a) 1g. of the statutes is amended to read:

55.043 (1r) (a) 1g. Except as otherwise provided, if an adult-at-risk agency has reason to believe that an adult at risk has been the subject of abuse, financial exploitation, neglect, or self-neglect or upon receiving a report of alleged abuse, financial exploitation, neglect, or self-neglect of an adult at risk, the adult-at-risk agency ~~may~~ shall respond, ~~including~~ by conducting an investigation, ~~to~~ or by referring the report to another agency for investigation. The investigation ~~may~~ be used to determine whether the adult at risk is in need of protective services. If an adult-at-risk agency has reason to believe

that there is abuse, financial exploitation, neglect, or self-neglect of an adult at risk who is a client, as defined in s. 50.065 (1) (b), of an entity, as defined in s. 50.065 (1) (c), and if the person suspected of perpetrating the alleged abuse, financial exploitation, or neglect is a caregiver or nonclient resident of the entity, the adult-at-risk agency shall refer the report within 24 hours after the report is received to the department for investigation. The department shall coordinate its investigatory efforts with other investigative agencies or authorities as appropriate. An adult-at-risk agency's response to or another investigative agency's investigation of a report of abuse, financial exploitation, neglect, or self-neglect that is not referred to the department shall be commenced within 24 hours after a report is received, excluding Saturdays, Sundays, and legal holidays.

SECTION 3. 55.043 (1r) (b) (intro.) of the statutes is amended to read:

55.043 (1r) (b) (intro.) The adult-at-risk agency's ~~response~~ or another investigative agency's investigation ~~may~~ shall include at least one or more of the following:

* Section 991.11, WISCONSIN STATUTES: 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."