



1995 ASSEMBLY BILL 511

August 14, 1995 - Introduced by Representatives NASS, POWERS, SERATTI, BRANDEMUEHL, HAHN, FREESE, GOETSCH, AINSWORTH, LAZICH, OWENS, SCHNEIDERS, ROBSON and SILBAUGH, cosponsored by Senator HUELSMAN. Referred to Committee on Children and Families.

1 **AN ACT to create** 48.78 (2) (f) of the statutes; **relating to:** the disclosure by a
2 social services agency of information about an individual in the care or legal
3 custody of the social services agency.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, an agency such as the department of health and social services (DHSS), a county department of human services or social services (county department) or a licensed child welfare agency, may not disclose or make available for inspection any record kept or information received about an individual in the agency's care or legal custody. Current exceptions to this rule of nondisclosure include the confidential exchange of information between the agency and a law enforcement agency or another social welfare agency. This bill permits an agency to disclose information about an individual in its care or legal custody on the request of a law enforcement agency, administrative agency, court, district attorney or defense attorney for use in an investigation or proceeding relating to any alleged misconduct by the agency or an employe of the agency.

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

4 **SECTION 1.** 48.78 (2) (f) of the statutes is created to read:
5 48.78 (2) (f) Paragraph (a) does not prohibit an agency from disclosing
6 information about an individual in its care or legal custody on the request of a law
7 enforcement agency, administrative agency, court, district attorney or defense

SECTION 1

1 attorney for use in any investigation or proceeding relating to any alleged
2 misconduct by the agency or an employe of the agency.

3 (END)