



State of Wisconsin
2025 - 2026 LEGISLATURE

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2025 SENATE BILL 108

March 7, 2025 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

- 1 **AN ACT** *to create* 20.435 (5) (bx) and 46.537 of the statutes; **relating to:**
2 sharing minors' safety plans.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council Study Committee on Emergency Detention and Civil Commitment of Minors.

The bill requires the Department of Health Services (DHS) to develop and maintain a portal that is available throughout the state to facilitate sharing of safety plans for a minor in crisis among safety plan partners. The bill defines a safety plan as an individual's written document, created in advance of a crisis, that provides guidance on how to help the individual when the individual experiences a behavioral or developmental health challenge or crisis.

Safety Plan Contents and Requirements

A minor who is at risk of an encounter with law enforcement or other emergency service providers during a behavioral or developmental health challenge or crisis may

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create a safety plan with the assistance of a facilitator. The bill directs DHS to develop a standard safety plan template, and specifies that a minor's safety plan may include any of the following information: the minor's name and address or addresses; what it looks like when the minor feels unsafe or needs assistance; de-escalation strategies that work for the minor; contact information for the minor's parent or guardian, health care providers, and individuals who can provide emotional support to the minor in times of crisis; what the minor would like law enforcement officers or emergency responders to know; and other information that is important to the minor.

The bill specifies that a safety plan expires one year after the date the safety plan is signed.

Release of Information

The bill allows a minor's safety plan to be shared with a safety plan partner only if the minor has signed a release of information stating that the minor agrees and understands that the safety plan will be used only to ensure the safety and well-being of the minor, may be revoked at any time other than during a crisis, will be shared in the portal and may be accessed by all safety plan partners and other networks in the portal, and that the release of information will be attached to the minor's safety plan. The release of information must identify all current safety plan partners and include the minor's acknowledgment that additional safety plan partners may join the network and access the minor's safety plan. A facilitator must ensure that the minor understands the release of information.

The bill specifies that a safety plan partner may access a safety plan only to ensure the safety and well-being of the minor during a crisis, to review or update a safety plan, or at the minor's request. A safety plan partner must maintain confidentiality of a safety plan and may disclose a safety plan to a person who is not a safety plan partner in the network only if the person is the minor's parent, guardian, legal custodian, Indian custodian, legal representative, another safety plan network during a crisis, or a bona fide researcher using de-identified information.

Safety Plan Network

The bill authorizes two or more persons or entities to form a network with each other for the purpose of sharing safety plans for minors at risk of an encounter with law enforcement or other emergency service providers during a behavioral or developmental health challenge or crisis. The bill provides the following examples of persons or entities that may choose to form a safety plan network: systems of care through public or private entities that provide specialized services for children or that provide child welfare, juvenile justice, educational, or other identified services for children; a physical or mental health care provider; a county department of human services; a county department of social services; a school; a school district; a law enforcement agency; a fire department; an emergency medical services provider; a tribal agency; child welfare services in Milwaukee County; 911 dispatchers; and the 988 suicide and crisis lifeline.

When a network is formed, the safety plan partners must enter into a formalized agreement that addresses the expectations for the safety plan partners, such as the safety plan partners' obligations, training requirements, and roles in the network.

Safety Plan Sharing Portal

As noted above, the bill requires DHS to develop and maintain a portal that is available throughout the state to facilitate sharing of safety plans among safety plan partners. Alternatively, DHS may make payments to the nonprofit corporation that supports the state's electronic health information exchange to develop and maintain the portal. The bill authorizes a full-time staff position and includes a placeholder to add funding in DHS's schedule under the biennial state budget to develop and maintain the portal.

The portal must have certain functionalities, including the ability to fill out a safety plan online, notifications to a minor and facilitator when a plan is about to

(2) SAFETY PLAN CONTENTS AND REQUIREMENTS. (a) A minor who is at risk of an encounter with law enforcement or other emergency service providers during a behavioral or developmental health challenge or crisis may create a safety plan, with a facilitator, that includes any of the following information about the minor:

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1 1. The minor's name.

2 2. The minor's address or addresses.

3 3. What it looks like when the minor feels unsafe or needs assistance.

4 4. De-escalation strategies that work for the minor.

5 5. Contact information for the minor's parent or guardian.

6 6. Contact information for the minor's health care providers, as defined under
7 s. 146.81 (1) (a) to (hp).

8 7. Contact information for individuals who can provide emotional support to
9 the minor in times of crisis.

10 8. What the minor would like law enforcement officers or emergency medical
11 responders to know.

12 9. Other information that is important to the minor.

13 (b) A minor and a facilitator who create a safety plan under par. (a) shall sign
14 the safety plan.

15 (c) A safety plan created under par. (a) expires one year after the date the
16 safety plan is signed.

17 **(3) SAFETY PLAN SHARING; RELEASE OF INFORMATION.** (a) A minor's safety
18 plan may be shared with a safety plan partner through the portal under sub. (5)
19 only if the minor has signed a release of information stating that the minor agrees
20 and understands all of the following:

21 1. The safety plan will be used only to ensure the safety and well-being of the
22 minor by the safety plan partners.

23 2. The safety plan may be revoked at any time other than during a crisis.

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1 3. The safety plan will be shared in the portal under sub. (5) and may be
2 accessed by all safety plan partners.

3 4. Additional safety plan partners may join the network under sub. (4) (a) and
4 the safety plan may be shared with those additional safety plan partners.

5 5. During a crisis, the safety plan may be accessed by a different network
6 formed under sub. (4) (a) that uses the portal under sub. (5).

7 6. The release of information will be attached to the minor's safety plan until
8 the safety plan expires or is revoked.

9 (b) A facilitator shall ensure the minor understands the release of information
10 under. par. (a).

11 (c) A release of information under par. (a) shall identify all current safety plan
12 partners at the time the release of information is signed by the minor.

13 (d) A release of information signed by a minor under par. (a) shall be attached
14 to the minor's safety plan until the safety plan expires or is revoked.

15 (e) A safety plan partner may access a safety plan only to ensure the safety
16 and well-being of the minor during a crisis, to review or update a safety plan, or at
17 the minor's request.

18 (f) A safety plan partner shall maintain confidentiality of a safety plan and
19 may disclose a safety plan to a person who is not in the safety plan partner's
20 network under sub. (4) (a) only if the person is one of the following:

21 1. The minor's parent, guardian, legal custodian, Indian custodian, as defined
22 in s. 48.02 (8p), or legal representative.

23 2. During a crisis, another safety plan network formed under sub. (4) (a) that
24 uses the portal under sub. (5).

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1 3. A bona fide researcher using de-identified information.

2 **(4) SAFETY PLAN NETWORK.** (a) Two or more persons, including any of the
3 following, may form a network for the purpose of sharing safety plans of minors who
4 are at risk of an encounter with law enforcement or other emergency service
5 providers during a behavioral or developmental health challenge or crisis:

6 1. A system of care, as defined in s. 46.56 (1) (or).

7 2. A physical or mental health care provider.

8 3. A county department of human services.

9 4. A county department of social services.

10 5. A school.

11 6. A school district.

12 7. A law enforcement agency, as defined in s. 165.77 (1) (b).

13 8. A fire department, as defined in s. 66.0314 (1) (c).

14 9. An emergency medical services provider, as defined in s. 256.215 (1) (d).

15 10. A tribal agency.

16 11. The division of the department of children and families that is responsible
17 for administering child welfare services in Milwaukee County.

18 12. A public safety answering point, as defined in s. 256.35 (1) (gm).

19 13. A center designated to respond to statewide or regional contacts with the
20 universal telephone number for the national suicide prevention and mental health
21 crisis hotline system maintained under 42 USC 290bb-36c.

22 (b) When a network is formed under par. (a), the safety plan partners shall
23 enter into a formalized agreement that addresses the expectations for the safety

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1 plan partners, such as the safety plan partners' obligations, training requirements,
2 and roles in the network.

3 (5) SAFETY PLAN SHARING PORTAL. The department shall develop and
4 maintain, or make payments to a nonprofit corporation that supports the state's
5 electronic health information exchange under ss. 153.80 to 153.82 to develop and
6 maintain, a portal that is available throughout the state to facilitate sharing of
7 safety plans among safety plan partners. The portal developed under this
8 subsection shall include all of the following:

9 (a) The ability to fill out a safety plan online and download the safety plan for
10 the purpose of obtaining a handwritten or electronic signature on the safety plan.

11 (b) The standard safety plan template developed by the department under
12 sub. (6).

13 (c) Simplified views for law enforcement officers for quick access to safety plan
14 information.

15 (d) The capacity to support several thousand users in the system with role-
16 based access for roles such as facilitators, law enforcement officers, and 911
17 dispatchers.

18 (e) The potential for future integrations or single sign-on with other systems,
19 including electronic health records systems and 911 dispatch systems.

20 (f) Scalable storage capacity to support unlimited numbers of safety plans as
21 discrete data and as printable documents.

22 (g) Cloud-hosted, technical infrastructure certified by the Underlying Health
23 Information Trust Alliance, or its successor, and technical audit-logging

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1 capabilities that meet the requirements of the federal Health Insurance Portability
2 and Accountability Act of 1996.

3 (h) Flexibility to allow a network formed under sub. (4) (a) to share a safety
4 plan with another network formed under sub. (4) (a) or keep access to the safety
5 plan restricted to within that network.

6 (i) Notifications to a minor and facilitator when the minor's safety plan is
7 about to expire, if a safety plan is accessed, and any other activity that occurs
8 related to a safety plan.

9 (j) Safety plan audit data and use logging with reporting capabilities.

10 **(6) STANDARD SAFETY PLAN TEMPLATE.** The department shall develop a
11 standard safety plan template to be used under this section.

12 **SECTION 4. Nonstatutory provisions.**

13 (1) The authorized FTE positions for the department of health services are
14 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.435
15 (5) (bx), for the purpose of developing and maintaining the portal under s. 46.537
16 (5).

17 **SECTION 5. Effective date.**

18 (1) This act takes effect on the day after publication, or on the 2nd day after
19 publication of the 2025 biennial budget act, whichever is later.

20 **(END)**