



June 10th, 2025

Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

Testimony on 2025 Senate Bill 111

Thank you, Chair Wanggaard and other members of the committee, for the opportunity to testify today. I am pleased for the opportunity today to ask for your support for this bill that was developed by the Study Committee on Emergency Detention and Civil Commitment of Minors. I had the pleasure of chairing that study committee last year, which was tasked with studying various issues related to the appropriateness of current emergency detention and involuntary commitment laws as applied to minors.

As many of you know, these issues are deeply personal to me. As a law enforcement officer, some of the most challenging moments on the job come when I'm called to assist someone in the midst of a mental health crisis. It's always difficult, but it's especially heartbreaking when that person is a child. From the start, I hoped this committee would accomplish at least two things. The first was to provide a process to have psychiatric residential treatment facilities (PRTFs) in Wisconsin so kiddos can get the help they need without having to be sent out of the state. The second was to find ways to minimize the involvement of law enforcement in mental health crises so that children in crisis are not further traumatized by being placed in handcuffs.

After careful study and thoughtful consideration, the committee crafted a package of bills that I believe will move the ball closer to these goals. Throughout the process, the committee received assistance from a wide variety of stakeholders and experts, including the Department of Health Services, the Department of Children and Families and the Counties Association, among many others. The committee voted to advance six bills, all with strong support, and the Joint Legislative Council introduced them earlier this year.

One of those bills is in front of you today. Senate Bill 111 is a key piece of the study committee's vision to help our kids when they most need it. Currently, when a minor is approved for emergency detention, law enforcement officers complete the transportation to the detention facility. This bill moves the responsibility of transportation to the county who approved the detention. However, this requirement only comes into effect if the Department of Health Services receives federal approval for Medical Assistance funding. Once this funding has been approved, counties that have transported minors to emergency detention can request reimbursement to DHS. This is a critical step in minimizing unnecessary law enforcement involvement and giving the counties flexibility to use other providers to move our kids.

STATE SENATOR

JESSE



JAMES

23RD DISTRICT

Before I conclude, I want to take a moment to thank the members of the study committee for their time and dedication. Their insights and expertise were invaluable to this process, and I truly appreciate the effort, thoughtfulness, and commitment each of them brought to our work. I also want to extend my gratitude to the teams at DHS, DCF, the Counties Association, all the other stakeholders who provided essential feedback throughout this process, as well as Legislative Council's David, Margit, and Kelly for all your assistance along the way. Thank you for considering the study committee's recommendations. I am happy to answer any questions you may have.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov



WISCONSIN STATE REPRESENTATIVE

Shelia Stubbs

78TH ASSEMBLY DISTRICT

June 10, 2025

Senate Bill 111—Relating to: transportation of minors for emergency detention.

Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

Dear Chair Senator Jesse James and Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families,

Thank you for the opportunity to provide my support for Senate Bill 111—Relating to: transportation of minors for emergency detention.

Over the course of several months, the Study Committee on Emergency Detention and Civil Commitment of Minors gathered together legislators, legal experts, law enforcement, and youth mental health professionals to develop proposed legislation that will make the process of emergency detention and civil commitment for youth facing mental and behavioral health or substance abuse crises more efficient and supportive, as well as expanding Wisconsin's capacity to care for youth experiencing these issues.

When it is determined that emergency detention of a minor is the most appropriate response to a crisis of mental or behavioral health or substance abuse, transporting that minor to the nearest facility with an open bed can pose a complex logistical challenge. This bill specifies that the county who approves the emergency detention of a minor assumes responsibility for placing that minor in custody and for transporting the minor to an emergency detention facility, including the cost of transportation. The bill also provides that a county may contract with a law enforcement agency, ambulance service, or 3rd-party vendor to facilitate the transportation; however, law enforcement may only be used to provide transportation if they are the least restrictive and appropriate method or if they are the only viable alternative in a given situation.

Additionally, the bill provides that a county responsible for the transportation of a minor to an emergency detention facility may submit a request for reimbursement to the Department of Health Services.

By establishing standard protocols for the transportation of a minor to an emergency detention facility and clearly designating the party that is responsible for coordinating and financing the transportation, this bill streamlines the process of getting a youth experiencing a mental or behavioral health or substance abuse crisis to an appropriate facility, thus minimizing the stressors faced by youth who are already in a vulnerable and distressing situation. I appreciate your time in considering my testimony and ask that you vote yes on Senate Bill 111.

I would like to thank my colleagues on the Study Committee on Emergency Detention and Civil Commitment of Minors for coming together and proposing legislation to improve mental health crisis responses for our youth.

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MEMORANDUM

TO: Honorable Members of the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

FROM: Chelsea Shanks, Government Affairs Associate

DATE: Tuesday, June 10, 2025

SUBJECT: Support for Senate Bill 111: Transportation of Minors for Emergency Detention

The Study Committee on Emergency Detention and Civil Commitment of Minors was created in 2024 review whether special procedures should be established for the commitment and placement of minors. The committee met and discussed many recommendations and options for creating changes to the emergency detention process for youth.

One of the items of legislation introduced following recommendations from the study committee is Clinician Initiation of Emergency Detention of a minor (Assembly Bill 114/Senate Bill 109). This legislation essentially creates two processes for the emergency detention (ED) of a minor:

- 1) the current law enforcement initiation and;
- 2) a new option for county approved/contracted clinicians.

After many discussions and collaborative conversations during the study committee meetings, county human services professionals had recommendations that focused on the ability to ensure that staff and youth are safe, while protecting the county departments from further increases in workload and financial burden.

Senate Bill 111 specifies that if a minor is approved for an ED, the county that approves the detention is responsible for transporting the individual to the facility.

As directed by 2019 Wis. Act 105, the Wisconsin Department of Health Services sought federal approval for Medicaid reimbursement of ED transportation. The request was denied because the federal government does not approve Medicaid reimbursement for transportation by law enforcement officers. By comparison, other states have Medicaid transportation programs that reimburse ambulances and third-party transportation providers who provide secure transportation of individuals to behavioral health treatment facilities.

This bill allows DHS to resubmit a waiver for federal approval of Medicaid reimbursement for

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transportation of minors, a crucial component for counties to afford opening the avenue of clinician initiated emergency detention. Available Medicaid dollars to counties for emergency detention transportation will increase the likelihood that counties take the opportunity to expand authority of initiation, in turn reducing the amount of time that law enforcement officers are obligated to spend on mental health crisis response.

Thank you for your time and consideration of our support for SB 111 and please do not hesitate to contact WCA with any questions.

Contact: Chelsea Shanks, Government Affairs Associate
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