

**AMENDMENT TO WLC: 0073/1**

1 At the locations indicated, amend the draft as follows:

2 **1.** Page 5, line 21: after that line insert:

3 “**SECTION 4m.** 51.15 (2m) of the statutes is created to read:

4 **51.15 (2m)** RESPONSIBILITY FOR CERTAIN DECISIONS BY COUNTY DEPARTMENT. (a) If the  
5 individual is detained in a hospital, the county department of community programs in the  
6 county in which the individual was taken into custody may make, and shall be legally  
7 responsible for, any of the following decisions:

8 1. The county department’s refusal to approve the need for detention, and refusal to  
9 approve the evaluation, diagnosis, and treatment of the individual as provided under sub. (8),  
10 if such detention, evaluation, diagnosis, and treatment is made available by the hospital, and  
11 after the hospital has informed the county department of the risks and benefits to the individual  
12 of any treatment offered.

13 2. The county department’s refusal to consent to a transfer of the individual to another  
14 treatment facility, if such transfer of the individual is offered by the hospital, and the hospital  
15 informs the county department of the risks and benefits to the individual of the transfer.

16 3. The county department’s request for a transfer of the individual if the individual has  
17 not been stabilized as defined under 42 USC s. 1396dd, the federal emergency medical  
18 treatment and active labor act, after the county department has been informed of the hospital’s  
19 obligations under that act, and of any risks of performing the transfer.

(b) If the county department does not approve of an individual's detention in a hospital under sub. (2), the county department shall be legally responsible for any subsequent departure of the individual from the hospital that takes place against medical advice.”.

**(END)**