



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2327/1

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2025 ASSEMBLY BILL 113

March 11, 2025 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Mental Health and Substance Abuse Prevention.

AN ACT *to create* 20.435 (5) (bx) and 46.537 of the statutes; **relating to:**

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

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expire, a standard safety plan template, simplified views that allow law enforcement officers to have quick access to safety plan information, capacity and integration capabilities, a common data security standard, and safety plan audit data and use logging with reporting capabilities.

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2025-26 2026-27

20.435 Health services, department of

(5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

(bx) Minors' safety plan sharing portal GPR	A	-0-	-0-
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SECTION 2. 20.435 (5) (bx) of the statutes is created to read:

20.435 **(5)** (bx) *Minors' safety plan sharing portal.* The amounts in the schedule to develop and maintain the portal under s. 46.537 (5).

SECTION 3. 46.537 of the statutes is created to read:

46.537 Sharing minors' safety plans. (1) DEFINITIONS. In this section:

(a) "Facilitator" means an individual who assists in the creation of a safety plan.

(b) "Safety plan" means 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.

(c) "Safety plan partner" means a person who is part of a network formed under sub. (4) (a).

(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. The minor's name.
 2. The minor's address or addresses.
 3. What it looks like when the minor feels unsafe or needs assistance.
 4. De-escalation strategies that work for the minor.
 5. Contact information for the minor's parent or guardian.
 6. Contact information for the minor's health care providers, as defined under s. 146.81 (1) (a) to (hp).
 7. Contact information for individuals who can provide emotional support to the minor in times of crisis.
 8. What the minor would like law enforcement officers or emergency medical responders to know.
 9. Other information that is important to the minor.
- (b) A minor and a facilitator who create a safety plan under par. (a) shall sign the safety plan.
- (c) A safety plan created under par. (a) expires one year after the date the safety plan is signed.
- (3) SAFETY PLAN SHARING; RELEASE OF INFORMATION.** (a) A minor's safety plan may be shared with a safety plan partner through the portal under sub. (5) only if the minor has signed a release of information stating that the minor agrees and understands all of the following:
1. The safety plan will be used only to ensure the safety and well-being of the minor by the safety plan partners.
 2. The safety plan may be revoked at any time other than during a crisis.

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

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

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

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

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

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

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

(e) 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.

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

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

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

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

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

1. A system of care, as defined in s. 46.56 (1) (or).
2. A physical or mental health care provider.
3. A county department of human services.
4. A county department of social services.
5. A school.
6. A school district.
7. A law enforcement agency, as defined in s. 165.77 (1) (b).
8. A fire department, as defined in s. 66.0314 (1) (c).
9. An emergency medical services provider, as defined in s. 256.215 (1) (d).
10. A tribal agency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4. Nonstatutory provisions.

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

SECTION 5. Effective date.

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

(END)