

No. 2, S.]

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CHAPTER 317

AN ACT to repeal 141.10; and to create 20.005 (2) (a) (line 707a), 20.670 (24) and 51.36; and to increase the appropriation in 20.670 (1) (intro. par.) of the statutes, relating to the establishment of community mental health clinic services and providing for state grants-in-aid to local communities to encourage and assist them in the development and operation of preventive and treatment services for mental health, granting rule-making authority, and making appropriations.

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

SECTION 1. 20.005 (2) (a) (line 707a) of the statutes is created to read:

20.005 (2) (a)	1959-60	1960-61
707a. Community mental health clinic services (24)	\$185,000	\$211,000

SECTION 2. 20.670 (24) of the statutes is created to read:

20.670 (24) COMMUNITY MENTAL HEALTH CLINIC SERVICES. On July 1, 1959, \$185,000 and annually, beginning July 1, 1960, \$211,000 together with any funds that may be received from the federal government or any other source, to be used for financing state aid for mental health clinic services provided under s. 51.36. Because the work of privately sponsored community guidance clinics tends to reduce the population of our state institutions, the legislature finds that the expenditure of funds for the support of such clinics is for a public purpose.

SECTION 3. 51.36 of the statutes is created to read:

51.36 COMMUNITY MENTAL HEALTH CLINIC SERVICES. (1) **CREATION.** The state department of public welfare shall create a program relating to the establishment of community mental health clinic services and providing for state grants-in-aid to local communities to encourage and assist them in the development and operation of preventive, educational, diagnostic treatment and rehabilitative services for mental health.

(2) **TITLE.** This section may be cited as the community mental health clinic services section.

(3) **PURPOSE.** It is the purpose of this section to: (a) Foster preventive, educational, diagnostic treatment and rehabilitative services through the establishment and improvement of public and private mental health clinic services at the community level.

(b) Stimulate and assist communities to develop and support such clinic services according to individual community needs.

(c) Provide state consultative staff services to communities to assist in planning, establishing and operating community mental health clinic services.

(d) Provide a permanent system of state grants-in-aid to match local funds used to establish and operate local mental health clinic services.

(e) Authorize the director of the state department of public welfare, hereafter known as the director, to establish standards relating to the establishment and operation of community mental health clinics under state grants-in-aid.

(4) **COMMUNITY MENTAL HEALTH CLINIC SERVICES.** The director is authorized to make grants to assist cities, counties, towns, villages, or any combination thereof, or any nonprofit corporations in the establishment and operation of local mental health clinic programs to provide the following services:

(a) Collaborative and co-operative services with public health and other groups for programs for the prevention and treatment of mental illness, mental retardation and other psychiatric disabilities.

(b) Rehabilitative services for patients suffering from mental or emotional disorders, mental retardation and other psychiatric conditions particularly for those who have received prior treatment in an inpatient facility.

(c) Outpatient diagnostic and treatment services.

(d) Consultative services to schools, courts and health and welfare agencies, both public and private.

(e) Informational and educational services to the general public and lay and professional groups.

(5) **ESTABLISHMENT OF CLINICS.** Any county, city, town or village or any combination thereof, or any nonprofit corporations representing an area of over 50,000 population, or upon consent of the director less than 50,000 population, may establish community mental health clinic services and staff them with persons specifically trained in psychiatry and related fields.

(6) **COMMUNITY MENTAL HEALTH CLINIC BOARD.** (a) *Representative board of directors.* Except in counties having a population of 500,000 or more every county, city, town or village, or combination thereof, or any nonprofit corporation establishing and administering a community mental health clinic program shall, before it may qualify under this section, establish a representative governing and policy-making board of directors which shall be charged with the operation and administration of the clinic pro-

gram concerned. The board of directors shall be composed of not less than 9 nor more than 15 persons of recognized ability and demonstrated interest in the problems of community mental health, except that no more than 2 persons shall be appointed from any one group or interest in the community. In counties having a population of 500,000 or more the county clinic program shall be governed by the board of public welfare as established by s. 46.21 who shall constitute the local board of directors.

(b) *Appointments to the board.* 1. When any county, city, town or village singly establishes such a program, the governing body of such political subdivision shall appoint the board of directors, and all actions of the board of directors are subject to the review and approval of the governing body.

2. When any combination of the political subdivisions referred to in this section establishes such a program, a representative board of directors, as defined in this section, shall be appointed and be subject to the review and approval of the governing bodies of such political subdivisions in a manner acceptable to all concerned. The director shall not authorize the granting of funds to any combination of political subdivisions, until such political subdivisions have drawn up a detailed contractual agreement defining the program and the plans for operation. If in the opinion of the director the contractual agreement is not adequate, he may deny the granting of funds.

3. When any nonprofit corporation establishes and administers a mental health clinic program, the corporation shall appoint a representative board of directors as herein defined, and this board shall be responsible for the operation and administration of the clinic program.

(c) *Terms of office.* The term of office for any member of a board of directors shall be 3 years, except that of the members first appointed, at least one-third shall be appointed for a term of one year, at least one-third for a term of 2 years, and the remainder for a term of 3 years. Vacancies shall be filled for unexpired terms in the same manner as original appointments. Any board member may be removed from office by the appointing authority.

(7) **POWERS AND DUTIES OF THE COMMUNITY MENTAL HEALTH CLINIC BOARD.** Subject to the provisions of this section and the rules of the director, each board of directors shall have the following powers and duties:

(a) Appoint the administrator of the mental health clinic program, who shall be responsible to the board in the operation of the program.

(b) With the co-operation of the administrator, define the program and formulate the necessary policies to implement the program.

(c) Establish salaries and personnel policies for the program.

(d) Review and evaluate the services of the clinic to assure conformance with the basic plan and budget, including periodic reporting to the director, local public officials, the program administrator and the public and when indicated make recommendations for changes in program and services.

(e) Assist in arranging and promoting local financial support for the program from private and public sources.

(f) Assist in arranging co-operative working agreements with other health and welfare services, public and private, and with other educational and judicial agencies.

(g) Establish patient fee schedules based upon ability to pay. If a person who can afford private care applies for clinic services, consultation and diagnostic services may be offered but any needed treatment services must be obtained from other sources, providing private service is reasonably available.

(h) Review the fiscal practices, the annual plan and budget and make recommendations thereon.

(8) GRANTS-IN-AID. (a) *Formula.* The director is authorized to make state grants-in-aid which shall be based upon 40 per cent state and 60 per cent local sharing of the total expenditures for: 1. salaries; 2. contract facilities and services; 3. operation, maintenance and service costs; 4. per diem and travel expense of members of community mental health boards; and 5. other expenditures specifically approved and authorized by the director. The grants may not be used to match other state or federal funds which may be available to clinics. No grants shall be made for capital expenditures.

(b) *Eligible to apply.* Any county, city, town or village, or any combination thereof, or nonprofit corporation administering a mental health clinic established under sub. (5), may apply for the assistance provided by this section by submitting annually to the director its plan and budget for the next fiscal year. No program shall be eligible for a grant hereunder unless its plan and budget have been approved by the director.

(c) *Functions of department; allocation of funds.* At the beginning of each fiscal year the director shall allocate available funds to the mental health clinic programs for disbursement during the fiscal year in accordance with such approved plans and budgets. The director shall from time to time during the fiscal year review the budgets and expenditures of the various programs, and if funds are not needed for a program to which they were allocated, he may, after reasonable notice and opportunity for hearing, withdraw such funds as are unencumbered and reallocate them to other clinic programs. He may withdraw funds from any program which is not being administered in accordance with its approved plan and budget.

(d) *Promulgate rules.* The director with the approval of the state board of public welfare, shall promulgate rules governing eligibility of community mental health clinic programs to receive state grants, prescribing standards for qualification of personnel and quality of professional service and for in-service training and educational leave programs for personnel, salaries, eligibility for service so that no person will be denied service on the basis of race, color or creed, or inability to pay, providing for establishment by the local mental health clinic boards of patient fee schedules and providing such other requirements as are necessary to carry out the purpose of this act.

(9) OTHER POWERS AND DUTIES OF THE STATE DEPARTMENT OF PUBLIC WELFARE. (a) Review and evaluate local programs and the performance of administrative and psychiatric personnel and make recommendations thereon to boards and program administrators.

(b) Provide consultative staff service to communities to assist in ascertaining local needs and in planning and establishing and operating community health clinic programs.

SECTION 4. 141.10 of the statutes is repealed.

SECTION 5. The appropriation in section 20.670 (1) (intro. par.) of the statutes, as affected by the laws of 1959, is increased by adding the following amounts:

	1959-60	1960-61
Department of public welfare		
General administration 20.670 (1)	(39,816)	(39,872)
Personal services, bonus	S 3,696	S 3,696
Personal services, basic	29,760	30,816
Materials and expense	5,360	5,360
Capital outlay	1,000	

for salaries and operating expenses of state employed staff to carry out their functions under section 51.36 of the statutes.

Approved August 14, 1959.