

Senate Bill 450

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CHAPTER 299, LAWS OF 1967

AN ACT to create 146.30 (12) (n) and 146.32 of the statutes, relating to residential care institution (Halfway House).

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

SECTION 1. 146.30 (12) (n) of the statutes is created to read:

146.30 (12) (n) *Exception for residential care institution (Halfway House)*. Nothing in this section shall be so construed as to give authority to supervise or regulate or control the remedial care of individuals in a residential care institution as defined in s. 146.32 (1).

SECTION 2. 146.32 of the statutes is created to read:

146.32 RESIDENTIAL CARE INSTITUTION (HALFWAY HOUSE). (1) DEFINITION. A "residential care institution" means, without limitation because of enumeration, any building, structure, institution, boarding home or other place for the reception and care of 3 or more unrelated individuals for not less than 72 hours in any week, who by reason of physical or mental disability, including mental retardation and mental illness, are in the opinion of a licensed physician, in need of care but not the care given in a nursing home as defined in s. 146.30 (1) (a).

(2) LICENSING AND STANDARD SETTING AUTHORITY. The state department of health and social services shall license and may develop, establish and enforce standards for the care, treatment, health, safety, welfare and comfort of persons in residential care institutions, and for the construction, general hygiene, maintenance and operation of such institutions, and may adopt and enforce rules for such purposes.

(3) DENIAL, SUSPENSION OR REVOCATION OF LICENSE; NOTICE. After notice to the applicant or licensee, the department may deny, suspend or revoke a license upon a finding of substantial failure to comply with this section or rules adopted hereunder.

(4) FINANCING RESTRICTION. The trustees of a benefit fund of a public employes retirement system shall not be authorized to invest any part of such fund in real or personal property pledged as security for a loan to finance the construction or operation of a privately owned or administered residential care institution where the governmental unit having supervisory authority over such benefit fund places one or more individuals for care in such institution and dispenses monetary payments toward the cost of such care in order to prevent any conflict of interest on the part of any such governmental unit. This subsection shall apply only to counties having a population of 500,000 or more.

Approved January 3, 1968.