

State of Wisconsin



2023 Assembly Bill 1100

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT *to repeal* 46.283 (6) (b) 4.; and *to amend* 46.283 (6) (b) 5., 51.05 (2), 251.06 (1) (c) 1. and 251.06 (1) (c) 3. c. of the statutes; **relating to:** degree requirements for certain local health officers; admissions authorized by counties to mental health institutes; and eliminating references to defunct regional long-term care advisory committees (suggested as remedial legislation by the Department of Health Services).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Health Services and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 46.283 (6) (b) 4. of the statutes is repealed.

NOTE: SECTIONS 1 and 2 remove references to regional long-term care advisory committees. The requirement to create such committees was repealed by 2019 Wisconsin Act 9 [Sec. 464]. There are no active committees.

SECTION 2. 46.283 (6) (b) 5. of the statutes is amended to read:

46.283 (6) (b) 5. Recommend strategies for building local capacity to serve older persons and persons with physical or developmental disabilities, as appropriate, to local elected officials, ~~the regional long-term care advisory committee~~, or the department.

SECTION 3. 51.05 (2) of the statutes is amended to read:

51.05 (2) ADMISSIONS AUTHORIZED BY COUNTIES. The department may not accept for admission to a mental health institute any resident person, except in an emer-

gency, unless the county department under s. 51.42 in the county where the person has residence authorizes the care under s. 51.42 (3) (as). Patients who are committed to the department under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06, or 980.06, admitted by the department under s. 975.17, 1977 stats., or are transferred from a juvenile correctional facility or a secured residential care center for children and youth to a state treatment facility under s. 51.35 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not subject to this ~~section~~ subsection.

NOTE: In general, the Department of Health Services may not admit a person into a state mental health institute unless the relevant county agency authorizes the care. However, certain persons who are judicially committed, voluntarily admitted, or transferred from a juvenile correctional facility, secured residential care center for children and youth, jail, or prison are not subject to that county authorization requirement, which is contained in s. 51.05 (2), stats. In addition, those persons are not subject to various other provisions regarding state mental health institutes, which are contained elsewhere in s. 51.05, stats. This SECTION provides that those persons remain not subject to the county authorization requirement in s. 51.05 (2), stats., but become subject to the other provisions of s. 51.05, stats., as applicable.

SECTION 4. 251.06 (1) (c) 1. of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

251.06 (1) (c) 1. A master's degree, or a degree or educational credential higher than a master's degree, in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field and 3 years of experience in a full-time administrative position in either a public health agency or public health work.

SECTION 5. 251.06 (1) (c) 3. c. of the statutes is amended to read:

251.06 (1) (c) 3. c. A master's degree, or a degree or

educational credential higher than a master's degree, in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field.

NOTE: A person may fulfill some of the qualifications to serve as a local health officer of a Level III local health department by holding a master's degree in public health, public administration, or health administration. SECTIONS 4 and 5 provide that holding a master's degree or higher in those fields also fulfills those qualifications.