

State of Wisconsin



2025 Assembly Bill 668

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to amend 51.61 (1) (g) 3. of the statutes; **relating to:** reports on the competency of involuntarily committed individuals to refuse medication or treatment based upon an examination by a psychiatric advanced practice registered nurse.

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

SECTION 1. 51.61 (1) (g) 3. of the statutes is amended to read:

51.61 (1) (g) 3. Following a final commitment order, other than for a subject individual who is determined to meet the commitment standard under s. 51.20 (1) (a) 2. e., have the right to exercise informed consent with regard to all medication and treatment unless the committing court or the court in the county in which the individual is located, within 10 days after the filing of the motion of any interested person and with notice of the motion to the individual's counsel, if any, the individual and the applicable counsel under s. 51.20 (4), makes a determination, following a hearing, that the individual is not competent to refuse medication or treatment or unless a situation exists in which the medication or treatment is necessary to prevent serious physical harm to the individual or others. A report, if any, on which the motion is based shall accompany the motion and notice of motion and shall include a statement signed by a licensed physician that asserts that the subject individual needs medication or treatment and that the individual is not competent to refuse medication or treatment, based on an examination of the individual by a licensed physician or by an advanced practice regis-

tered nurse who may issue prescription orders under s. 441.09 (2) and who has completed 3,000 hours of supervised clinical experience and holds a master's degree in psychiatric mental health nursing from a graduate school of nursing accredited by the National League for Nursing. The hearing under this subdivision shall meet the requirements of s. 51.20 (5), except for the right to a jury trial. At the request of the subject individual, the individual's counsel or applicable counsel under s. 51.20 (4), the hearing may be postponed, but in no case may the postponed hearing be held more than 20 days after a motion is filed.

SECTION 2. Nonstatutory provisions.

(1) For the period beginning on the effective date of this subsection and ending on September 1, 2026, a report under s. 51.61 (1) (g) 3. may be based on an examination of the individual by a licensed physician or an advanced practice registered nurse who has completed 3,000 hours of supervised clinical experience and holds a master's degree in psychiatric mental health nursing from a graduate school of nursing accredited by the National League for Nursing. For purposes of this subsection, "advanced practice registered nurse" has the meaning given in s. 154.01 (1g).

SECTION 3. Effective dates. This act takes effect on the day after publication, except as follows:

* 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."

(1) The treatment of s. 51.61 (1) (g) 3. takes effect on September 1, 2026.
