

No. 272, S.]

[Published July 15, 1947.]

CHAPTER 397.

AN ACT to create 20.43 (3c) and 146.30 of the statutes, relating to the accrediting and inspection of nursing homes, convalescent homes and homes for the aged.

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

SECTION 1. 20.43 (3c) is created to read:

20.43 (3c) ACCREDITING NURSING HOMES AND CONVALESCENT HOMES AND HOMES FOR THE AGED. All moneys received by the board from fees for accrediting nursing homes and convalescent homes and homes for the aged shall be deposited by the state treasurer into a nonlapsing revolving fund for use by the board.

SECTION 2. 146.30 of the statutes is created to read:

146.30 ACCREDITED NURSING AND CONVALESCENT HOMES AND HOMES FOR AGED. (1) DEFINITIONS. As used in this section:

(a) "Nursing or convalescent care" means care given to a person because of prolonged illness or defect or during recovery from injury or disease and includes the procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of diets, bedside care, application of dressings and bandages and treatments prescribed by a physician.

(b) "Home for the aged" means an institution, public or private, except county homes, admitting aged persons for indefinite residence and whose principal business is furnishing board, room, laundry and care.

(c) "Nursing or convalescent home" means an institution, public or private, except county homes, which provides, as its principal business, nursing or convalescent care.

(d) "Board" means the state board of health.

(e) "Standards" means rules promulgated by the board relating to care of patients, personnel, physical plant, equipment and records in homes accredited under this section.

(f) "Certificate" means a certification by the board that a place is an accredited nursing home, convalescent home or home for the aged or a combination thereof.

(2) ADVISORY COMMITTEE. A committee of 3 persons is cre-

ated. One member shall be appointed by the director of the department of public welfare, one by the industrial commission and one by the state health officer. The committee shall be advisory to the board.

(3) **CERTIFICATE; APPLICATION; FEES; RENEWALS.** The operator of any such home may apply to the board for a certificate. Application shall be made on forms prescribed by the board and shall be accompanied by a fee of not less than \$2 nor more than \$15 as established by the board. In establishing fees the board shall classify the homes according to size. Before issuing a certificate the board shall satisfy itself by investigation made by it or under its direction that the home is prepared to furnish proper care and to conform to standards established by the board for the conduct of such a home. The certificate may be renewed annually upon payment of a like fee on a renewal date to be prescribed by rules of the board.

(4) **STANDARDS; INSPECTION AND INVESTIGATION.** The board shall establish standards for the conduct of such homes. The board may inspect and may investigate any home and its records at any reasonable hour or delegate authority to some responsible agency to make the inspection or investigation. The operator of every such home shall afford the board and its agents reasonable opportunity for inspection or investigation of all parts of the home and its grounds and all its records and shall give such information as the board or its agent requires. Failure to permit inspection or investigation or give information shall be ground for revocation or suspension of the home's certificate.

(5) **REVOCATION.** Whenever it appears to the board that any certified home is not being operated in conformity with such standards, or that it is not providing proper nursing or convalescent care, or that any resident is being neglected, the board shall order the operator of the home to conform to the standards and to make the necessary changes and improvements, and in case of his failure so to do within a reasonable time stated in the order and not exceeding 60 days, the board may revoke the certificate or refuse to renew it.

(6) **UNAUTHORIZED USE OF "ACCREDITED."** No operator of any such home shall use the word "accredited" in connection with, or as part of the name of his institution, or in any manner hold out that it is accredited, unless he has an effective

certificate, granted pursuant to this section. Any person violating this subsection shall be punished by a fine of not less than \$10 nor more than \$100.

Approved July 10, 1947.

No. 310, S.]

[Published July 15, 1947.

CHAPTER 398.

AN ACT to create 63.075 (4) of the statutes, relating to changing salaries of councilmen in commission cities.

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

63.075 (4) of the statutes is created to read:

63.075 (4) The council may at any regular meeting increase or decrease the salary of the members of the council, including the mayor, by an amount not to exceed 20 per cent of the salary established prior to the commencement of the term to which such increase or decrease is applicable.

Approved July 10, 1947.

No. 353, S.]

[Published July 15, 1947.

CHAPTER 399.

AN ACT to amend 328.39 of the statutes, relating to determination of legitimacy of children born in wedlock.

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

328.39 of the statutes is amended to read:

328.39 (1) Whenever it is established in an action or proceeding that a child was born to a woman while she was the lawful wife of a specified man, any party asserting the illegitimacy of the child in such action or proceeding shall have the burden of proving beyond all reasonable doubt that the husband was not the father of the child. In all such actions or proceedings the husband and the wife are competent to testify as witnesses to the facts. The court or judge shall in such cases appoint a