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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2019 Assembly Bill 633**

**Assembly Amendment 1**

### **2019 ASSEMBLY BILL 633**

The bill clarifies current law regarding transport of individuals for emergency detention by expressly providing that a law enforcement agency may contract with another law enforcement agency, an ambulance service provider, or a third-party vendor to transport an individual for emergency detention if the agency, provider, or vendor agrees to provide the transport. The bill also provides that an individual in custody being transported for emergency detention remains in the custody of the law enforcement officer or other authorized person who placed the individual in custody for purposes of emergency detention, except that if a law enforcement agency contracts with another law enforcement agency to transport an individual for the purposes of emergency detention, custody is transferred to the transporting law enforcement agency.

The bill also requires the Department of Health Services (DHS) to request any federal approval required to provide reimbursement to counties for the costs of transporting for emergency detention recipients under the Medical Assistance (MA) program and to provide that reimbursement to counties if federal approval is granted or not required. If federal approval is necessary but not granted, DHS may not provide reimbursement under the MA program.

### **ASSEMBLY AMENDMENT 1**

The amendment adds a provision to the bill that requires that DHS must establish criteria that any third-party vendor that is not a law enforcement agency or ambulance service provider must meet in order for the county to obtain reimbursement for transport provided by that third-party vendor under the MA program.

### **BILL HISTORY**

Representative Born offered Assembly Amendment 1 on December 16, 2019. On December 17, 2019, the Assembly Committee on Mental Health voted to adopt the amendment, and recommend passage of the bill, as amended, on votes of Ayes, 10; Noes, 0.

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