

State of Wisconsin



2019 Assembly Bill 644

Date of enactment: **March 2, 2020**
Date of publication*: **March 3, 2020**

2019 WISCONSIN ACT 117

AN ACT *to create* 20.435 (5) (by) and 51.445 of the statutes; **relating to:** creating a school-based mental health consultation pilot program and making an appropriation.

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

			2019-20	2020-21
20.435 Health services, department of				
(5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES				
(by) School-based mental health consultation pilot program	GPR	C	-0-	175,000

SECTION 2. 20.435 (5) (by) of the statutes is created to read:

20.435 (5) (by) *School-based mental health consultation pilot program.* As a continuing appropriation, the amounts in the schedule for operating the school-based mental health consultation pilot program under s. 51.445. The department is prohibited from expending more than \$175,000 under this paragraph in a particular fiscal year.

SECTION 3. 51.445 of the statutes is created to read:

51.445 School-based mental health consultation pilot program. (1) In this section, "participating school-based providers" includes all of the following:

(a) A nurse, counselor, social worker, physical therapist, or occupational therapist employed by a school or school district.

(b) A superintendent of a school district, a principal, a district administrator, or a director of special education and pupil services.

(2) The department shall create and administer a school-based mental health consultation pilot program in Outagamie County to assist participating school-based providers in providing enhanced care to students with mental health care needs, to provide referral support for students, and to provide additional services described in this section. The consultation pilot program created under this section is not an emergency referral service.

(3) The department shall provide moneys in the amount of \$175,000 in each fiscal year in, at least, fiscal years 2020-21 and 2021-22 to an organization that provided consultation services through the child psychiatry

* 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."

consultation program under s. 51.442 as of January 1, 2019, and the organization shall provide consultation services through the consultation pilot program under this section in Outagamie County in a manner that maximizes medically appropriate access and services as described under sub. (4).

(4) An organization providing consultation services through the consultation pilot program under this section shall make available its own qualified provider or consortium of providers. The organization shall successfully demonstrate that it meets all of the following criteria:

(a) The organization has the required infrastructure to provide services within Outagamie County.

(b) Any individual who would be providing consulting services through the program is located in this state.

(c) The organization enters into a contract with the department agreeing to satisfy all of the following criteria as a condition of providing services through the consultation pilot program:

1. The organization has at the time of participation in the program a psychiatrist, who is either eligible for certification or certified by the American Board of Psychiatry and Neurology, Inc., for either adult psychiatry or child and adolescent psychiatry or both, and has and maintains additional staff as specified by the department.

2. The organization operates during the normal business hours of Monday to Friday between 8 a.m. and 5 p.m., excluding weekends and holidays.

3. The organization shall be able to provide consultation services as promptly as is practicable.

4. The organization shall provide all of the following services:

a. Support for participating school-based providers to assist in the management of students with mental health problems and to provide referral support for students.

b. A triage-level assessment to determine the most appropriate response to each request, including appropriate referrals to other mental health professionals.

c. When medically appropriate, diagnostic and therapeutic feedback.

d. Recruitment of other practices in Outagamie County to the provider's services.

5. The organization shall have the capability to provide consultation services by telephone, at a minimum.

(5) (a) An organization providing consultation services through the consultation pilot program under this section may provide services by teleconference, video conference, voice over Internet protocol, electronic mail, pager, or in-person conference.

(b) The organization providing consultation services through the consultation pilot program under this section may provide in-person or Internet site-based educational seminars and refresher courses provided to any participating school-based provider who uses the consultation pilot program on a medically appropriate topic within child psychiatry. These services are eligible for funding from the department.

(6) An organization that provides consultation services through the consultation pilot program under this section shall report to the department any information as requested by the department.

(7) The department shall conduct annual surveys of participating school-based providers who use the consultation pilot program under this section to assess the amount of pediatric mental health care provided, self-perceived levels of confidence in providing pediatric mental health services, and the satisfaction with the consultations and the educational opportunities provided.

(8) By August 1, 2022, the department shall submit a report on the school-based mental health consultation pilot program under this section to the standing committees of the legislature with jurisdiction over health under s. 13.172 (3).

SECTION 5. Fiscal changes.

(1) Notwithstanding s. 20.001 (3) (c), from the appropriation account under s. 20.435 (4) (bk), there is lapsed to the general fund \$175,000 in fiscal year 2020-21.