
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 259
[2023 Assembly Bill 1100]

**Department of Health Services
Remedial Legislation**

2023 Wisconsin Act 259 is remedial legislation introduced by the Law Revision Committee, at the request of the Department of Health Services (DHS), and makes the following changes to laws administered by the department.

REGIONAL LONG-TERM CARE ADVISORY COMMITTEES

The act removes obsolete references to regional long-term care advisory committees. The requirement to create those committees was repealed by 2019 Wisconsin Act 9.

COUNTY AUTHORIZATION FOR MENTAL HEALTH INSTITUTE ADMISSION

In general, DHS 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. **Under prior law**, those persons also were not subject to various other provisions governing state mental health institutes, which are contained in other subsections of s. 51.05, Stats. **Under Act 259**, those persons remain not subject to the county authorization requirement in s. 51.05 (2), Stats., but become subject to the other subsections of s. 51.05, Stats., if applicable. Act 259 thus updates a cross-reference that appears to have been inadvertently overlooked during a recodification of ch. 51, Stats., by a 1976 special session act.

DEGREE REQUIREMENT FOR LOCAL HEALTH OFFICERS

A person serving as a local health officer of a Level III local health department must fulfill certain qualifications. A person may fulfill one qualification by holding a master's degree in public health, public administration, health administration, or a similar field as defined in rules promulgated by DHS.

The act provides that a person may fulfill this qualification also by holding a degree or educational credential higher than a master's degree in those fields.

Effective date: March 31, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

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