



State of Wisconsin
2025 - 2026 LEGISLATURE

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SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 111

June 18, 2025 - Offered by Senators SMITH, HESSELBEIN, SPREITZER, DRAKE, ROYS, L. JOHNSON, CARPENTER, DASSLER-ALFHEIM, HABUSH SINYKIN, KEYESKI, LARSON, PFAFF, RATCLIFF, WALL and WIRCH.

1 **AN ACT** *to amend* 49.45 (29x) (a) and 51.15 (2) (e) (intro.); *to create* 20.435 (5)
2 (dm), 49.45 (29x) (c) and (d) and 51.15 (2) (f) of the statutes; **relating to:**
3 transportation of minors for emergency detention and making an
4 appropriation.

Analysis by the Legislative Reference Bureau

This bill specifies that if a minor is approved for emergency detention, the county that approves the detention is responsible for transportation to the emergency detention facility. This includes responsibility for placing the minor in custody and the cost of transportation. The bill provides that a county may contract with a law enforcement agency, ambulance service, or 3rd-party vendor for the transportation. A county may utilize law enforcement to provide the transportation only if that is the least restrictive and most appropriate method, or is the only reasonable available alternative. This restriction only applies, however, if the Department of Health Services receives any necessary federal approval for Medical Assistance funding. A law enforcement agency may likewise contract for the transportation.

The bill specifies that the county responsible for transportation of a minor to an emergency detention facility may submit a request for reimbursement to DHS.

SECTION 1

DHS may establish standards for allowable costs that must be reimbursed for transportation provided for a minor after the bill takes effect. For a minor who is enrolled in the Medical Assistance program, DHS may provide the reimbursement under that program if allowed by the U.S. Department of Health and Human Services.

The bill includes sum sufficient funding to provide reimbursement for the cost of transporting a minor to an emergency detention facility, including reimbursement requested for transportation provided on or after January 1, 2025.

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

1 **SECTION 1.** 20.435 (5) (dm) of the statutes is created to read:

2 20.435 (5) (dm) *Reimbursement for transportation of minors for emergency*
3 *detention.* A sum sufficient for the cost of transportation of minors for purposes of
4 emergency detention under s. 51.15 (2) (f), including reimbursement requested for
5 the cost of transportation of minors for purposes of emergency detention under s.
6 51.15 (2) (f) provided on or after January 1, 2025.

7 **SECTION 2.** 49.45 (29x) (a) of the statutes is amended to read:

8 49.45 (29x) (a) ~~Subject~~ Except as otherwise provided under par. (c) and
9 subject to par. (b), the department shall provide reimbursement as provided under
10 s. 49.46 (2) (b) 3. to counties for transport of individuals who are recipients of
11 medical assistance for purposes of emergency detention under s. 51.15 (2) as
12 provided under s. 51.15 (2) (e). The department shall establish criteria that any
13 3rd-party vendor that is not a law enforcement agency or ambulance service
14 provider must meet in order for the county to obtain reimbursement for transport
15 provided by that 3rd-party vendor under the Medical Assistance program.

16 **SECTION 3.** 49.45 (29x) (c) and (d) of the statutes are created to read:

17 49.45 (29x) (c) Notwithstanding pars. (a) and (b), subject to par. (d), the

1 department shall provide reimbursement as provided under s. 49.46 (2) (b) 3. to
2 counties for transport of minors who are recipients of medical assistance for
3 purposes of emergency detention under s. 51.15 (2) as provided under s. 51.15 (2)
4 (f).

5 (d) The department shall submit to the federal department of health and
6 human services any request for a state plan amendment, waiver, or other federal
7 approval necessary to provide reimbursement to counties for the transport of
8 minors for purposes of emergency detention under par. (c). If the federal
9 department of health and human services approves the request or if no federal
10 approval is necessary, the department shall provide reimbursement under par. (c).
11 If the federal department of health and human services disapproves the request,
12 the department may not provide reimbursement for services under par. (c).

13 **SECTION 4.** 51.15 (2) (e) (intro.) of the statutes is amended to read:

14 51.15 (2) (e) (intro.) Subject to s. 49.45 (29x) (a) and (b), a county may obtain
15 reimbursement through the Medical Assistance program under subch. IV of ch. 49
16 for transport of an individual for purposes of emergency detention if all of the
17 following are true:

18 **SECTION 5.** 51.15 (2) (f) of the statutes is created to read:

19 51.15 (2) (f) 1. If a minor is approved for emergency detention under this
20 section, the county that approves the detention is responsible for transportation of
21 the minor to the emergency detention facility, including placing the minor in
22 custody and the cost of transportation. A county may contract with a law
23 enforcement agency, an ambulance service, or a 3rd-party vendor for transportation
24 of a minor for detention.

1 2. A law enforcement officer may provide the transportation of a minor under
2 subd. 1. only if that is the least restrictive and most appropriate method of
3 transport of the minor or is the only reasonable available alternative. As provided
4 under par. (a), a law enforcement agency may contract with another law
5 enforcement agency, an ambulance service provider, or a 3rd-party vendor to
6 transport a minor for detention if the agency, provider, or vendor agrees to provide
7 the transport.

8 3. The county responsible for transportation of a minor to an emergency
9 detention facility under this paragraph may submit a request to the department for
10 reimbursement of those costs, and the department shall provide reimbursement to
11 the county for those costs. The department may establish standards for allowable
12 costs that may be reimbursed to a county under this paragraph. Notwithstanding
13 par. (e), subject to s. 49.45 (29x) (c) and (d), the department may provide
14 reimbursement under this paragraph through the Medical Assistance program
15 under subch. IV of ch. 49 for the transport of a minor for purposes of emergency
16 detention who is a medical assistance recipient.

17 4. The limitation under subd. 2. on use of a law enforcement officer to provide
18 the transportation of a minor applies only if the department receives any necessary
19 federal approval as provided under s. 49.45 (29x) (d) to allow reimbursement under
20 the Medical Assistance program under subch. IV of ch. 49.

21 **SECTION 6. Initial applicability.**

22 (1) The treatment of ss. 49.45 (29x) (a) and (c) and 51.15 (2) (e) (intro.) and (f)
23 first applies to county claims for reimbursement for transportation of a minor for
24 purposes of emergency detention that is provided on the effective date of the federal

1 approval described in s. 49.45 (29x) (d) or, if the department of health services
2 determines that no federal approval is required, on the effective date of this
3 subsection.

4 **SECTION 7. Effective date.**

5 (1) This act takes effect on the first day of the 7th month beginning after
6 publication.

7 **(END)**