



WISCONSIN DEPARTMENT
of HEALTH SERVICES

Wisconsin Emergency Detention Process

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Today's Agenda

- Wisconsin Statute Chapter 51
- Youth Crisis Community-Based Services
- DHS facilities
- Recommendations

Wisconsin Statute Chapter 51

Wisconsin Statute Chapter 51 governs involuntary commitment for adults and youth with mental illness, substance use dependency, or developmental disability who are deemed at imminent risk to themselves or others.

It allows for the temporary, involuntary placement at a designated treatment facility and initiates court proceedings for potential longer-term commitment for treatment.

Involuntary Commitment Criteria

- The individual has a mental illness, developmental disability, or substance use dependency.
- The individual has a treatable condition.
- The individual is at imminent risk of substantial harm to themselves or others if treatment is not applied.

Methods to Initiate Involuntary Commitment

- Law Enforcement Emergency Detention
- Treatment Directors Emergency Detention
- Three-Party-Petition for Examination

Law Enforcement Emergency Detention Process

1. The individual is determined appropriate for an emergency detention and taken into law enforcement custody in consultation and with approval from the county board authorizer where the imminent risk occurred.
2. The individual is transported by law enforcement to an emergency room or like facility for the purposes of medical clearance.

Law Enforcement Emergency Detention Process (cont'd)

3. The county board authorizer coordinates the individual's appropriate, inpatient treatment.
4. Once medical clearance is complete and an accepting treatment facility is confirmed, the individual is transported via law enforcement to the facility.
5. Patient is read their rights under Ch. 51 at the treatment facility by the treatment director or designee.

Involuntary Commitment Proceedings

- An emergency detention can be dismissed by a treatment director after evaluation and prior to a probable cause hearing.
- Probable Cause Hearing – held within 72 hours of the emergency detention.
- Final Hearing – if probable cause is found, a final hearing is scheduled within 14 days of the emergency detention.

Involuntary Commitment Outcomes

- Petition is dismissed and the individual transfers to voluntary status.
- The individual signs a Settlement Agreement.
- Probable cause is found, and an order of involuntary civil commitment for treatment is issued at the final hearing.

Chapter 51 and Inpatient Care for Youth

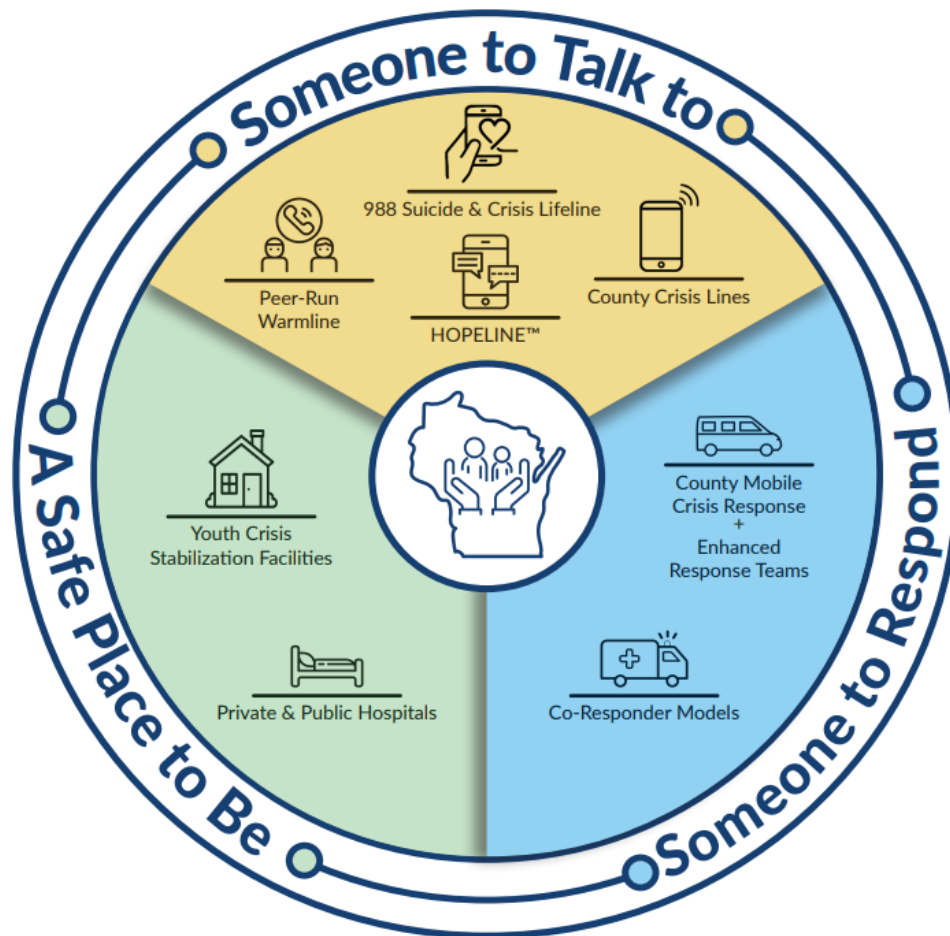
For youth aged 13 and under: they cannot agree to inpatient care without the consent of a parent or guardian.

For youth aged 14 and older: s.51.13 generally requires the consent of both the minor and their parent or guardian for inpatient treatment.

Chapter 51 and Youth Inpatient Care

- A petition for treatment may be filed when a youth (Ch. 51.13):
 - Is 14 or older and refuses to sign the admission application,
 - The child wants treatment and their parent or guardian refuses to sign the application,
 - The parent or guardian cannot be found, or
 - There is no parent or guardian.

Wisconsin's Youth Crisis System



Resources Available for Youth and Families in the Crisis Continuum

- Statewide
- Regional
- County Specific

Statewide/Regional Resources

- 988
- Mobile response for Ch. 34 certified counties
- Youth Crisis Stabilization Facilities (YCSFs)
 - Voluntary
 - No YCSF may accept a minor for detention under s. 51.15, Stats.
- Winnebago Mental Health Institute

County Specific Resources

- County crisis lines
- Youth peer run warm lines
- Peer specialists and parent peer specialists working with mobile response teams
- Mobile response teams trained in Crisis Intervention Training (CIT) for youth
- School based mental health programs
- In home stabilization services
- Coordinated Services Teams (CST) for early serious mental illness (ESMI)

DHS Facilities

Psychiatric hospitals

Winnebago Mental Health Institute

- **Location:** Oshkosh
- **Mission:** Court-ordered mental health treatment for people committed under civil and forensic laws
- **Staff:** 682.85 FTE
- **Population:** 164 patients

WMHI Populations

- Adult civil,
- Youth civil,
- Mental illness/developmental disability adult and youth,
- Mental health/substance use adult and youth, and
- Female forensic (small population).

Recent and Ongoing Improvement Efforts

- Continue to embrace best practices developed under the Crisis Now model for Wisconsin's crisis care services.
- 2023 Wisconsin Act 249 passed, establishing and regulating crisis and urgent care and observation facilities and crisis hostels.

Initial Recommendation

- Continue to embrace best practices developed under the Crisis Now model for Wisconsin's crisis care services.
- Provide funding to the department's grants for community programs appropriation and authorize DHS to distribute funds to support psychiatric residential treatment facilities.

Thank you!