

Wisconsin Elder and Disability Law Statutes

Table of Contents

I.	SELECTED STATUTES FROM CHAPTERS 6, 16, 46, 49, and 50	Page
	Chapter 6: The Electors [Excerpt]	
6.875	Absentee voting in certain residential care facilities and retirement homes	3
	Chapter 16: Department of Administration [Excerpt]	
16.643	Support accounts for persons with disabilities.....	5
	Chapter 46: Social Services [Excerpts]	
46.269	Determining financial eligibility for long-term care programs.....	5
46.279	Restrictions on placements and admissions to intermediate and nursing facilities	5
46.286	Family care benefit	6
46.287	Hearings	7
46.90	Elder abuse reporting system	7
	Chapter 49: Public Assistance and Children and Family Services [Excerpts]	
49.001	Definitions	12
49.43	Definitions	12
49.45	Medical assistance; administration	13
49.452	Counting promissory notes as assets for certain Medical Assistance programs	47
49.453	Divestment of assets	47
49.454	Treatment of trust amounts	50
49.455	Protection of income and resources of couple for maintenance of community spouse	51
49.46	Medical assistance; recipients of social security aids	53
49.465	Presumptive medical assistance eligibility	57
49.468	Expanded medicare buy-in	58
49.47	Medical assistance; medically indigent.....	58
49.471	BadgerCare Plus	62
49.472	Medical assistance purchase plan	69
49.473	Medical assistance; women diagnosed with breast or cervical cancer or precancerous conditions	70
49.475	Information about assistance program beneficiaries; electronic submission of claims	71
49.48	Denial, nonrenewal and suspension of certification of service providers based on certain delinquency in payment	72
49.485	False claims.....	72
49.49	Medical assistance offenses	72

49.493	Benefits under uninsured health plans	73
49.496	Recovery of correct medical assistance payments	73
49.497	Recovery of incorrect Medical Assistance or Badger Care payments and of unpaid employer penalties	75
49.498	Requirements for skilled nursing facilities	76
49.499	Nursing facility resident protection	82
49.682	Recovery from estates; disease aids and funeral expenses	82
49.686	AZT and pentamidine reimbursement program	83
49.688	Prescription drug assistance for elderly persons	84
49.847	Recovery of incorrect payments under certain public assistance programs.....	85
49.849	Recovery of correct payments under certain public assistance programs.....	86

Chapter 50: Uniform Licensure [Excerpts]

Subchapter I	Care and Service Residential Facilities	88
Subchapter VI	Hospices	119

II. CHAPTERS 51–55

Chapter 51: State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act.....	125
Chapter 52: Supported Decision-Making Agreements	209
Chapter 53: Uniform Adult Guardianship Jurisdiction	213
Chapter 54: Guardianships and Conservatorships	219
Chapter 55: Protective Service System.....	255

III. SELECTED STATUTES FROM CHAPTERS 69, 100, 105, 111, 140, and 146

Chapter 69.18: Collection of Statistics

69.18	Death records	279
-------	---------------------	-----

Chapter 100: Marketing; Trade Practices [Excerpt]

100.545	Security freezes for protected consumers	281
---------	--	-----

Chapter 105: Employment Agents [Excerpt]

105.115	Notice to home care consumers and workers.....	282
---------	--	-----

Chapter 111: Employment Relations [Excerpt]

111.33	Age; exceptions and special cases	284
--------	---	-----

Chapter 140: Notaries Public; Notarial Acts [Excerpts]

140.06	Personal appearance required	285
140.07	Identification of individual	285
140.08	Authority to refuse to perform notarial act	285
140.09	Signature if individual unable to sign	285
140.145	Notarial act performed for remotely located individual.....	285

140.147	Notarial act performed for remote execution of estate planning documents	286
140.20	Notification regarding performance of notarial act for remotely located individuals; selection of technology; acceptance of tangible copy of electronic record.....	288
Chapter 146: Miscellaneous Health Provisions [Excerpts]		
146.81	Health care records; definitions	289
146.815	Contents of certain patient health care records	290
146.819	Preservation or destruction of patient health care records	290
146.82	Confidentiality of patient health care records	291
146.83	Access to patient health care records	294
146.835	Parents denied physical placement rights	295
146.836	Applicability	295
146.84	Violations related to patient health care records	295
 IV. SELECTED STATUTES FROM CHAPTERS 154–244		
Chapter 154: Advance Directives.....		299
Chapter 155: Power of Attorney for Health Care		311
Chapter 157: Disposition of Human Remains.....		319
Chapter 224: Miscellaneous Banking and Financial Institutions Provisions [Excerpt]		
224.45	Financial exploitation of vulnerable adults.....	345
Chapter 244: Uniform Power of Attorney for Finances and Property		347
 V. SELECTED STATUTES FROM CHAPTERS 343–971		
Chapter 343: Operators’ Licenses [Excerpt]		
343.265	Voluntary surrender and reissuance after surrender	363
Chapter 440 Department of Safety and Professional Services		
Subchapter VII: Crematory Authorities.....		363
Chapter 632: Insurance Contracts in Specific Lines [Excerpt]		
632.697	Benefits subject to department’s right to recover	366
Chapter 647: Continuing Care Contracts [Excerpt]		
647.05	Continuing care contract provisions	366
Chapter 701: Trusts		367
Chapter 711: Digital Property [Excerpts]		
711.06	Disclosure of digital property; agent under a power of attorney	411
711.07	Disclosure of digital property held in trust	411

711.08	Disclosure of digital property; conservator or guardian of protected person.....	411
Chapter 786: Disposition of Lands of Wards; Specific Performance; Change of Names; Establish Heirships.....		413
Chapter 813: Injunctions, Ne Exeat and Receivers [Excerpt]		
813.123	Restraining orders and injunctions for individuals at risk	419
Chapter 881: Trust Fund Investments		423
Chapter 893: Limitations of Commencement of Actions and Proceedings; Procedure for Claims Against Governmental Units [Excerpts]		
893.555	Limitation of damages; long-term care providers.....	427
893.99	Home care consumer notification	427
Chapter 895: Damages, Liability, and Miscellaneous Provisions Regarding Actions in Courts [Excerpt]		
895.4801	Immunity for health care providers during COVID-19 emergency	427
Chapter 905: Evidence – Privileges [Excerpt]		
905.04	Privilege between certain health-care providers and patients	428
Chapter 939: Crimes – General Provisions [Excerpt]		
939.623	Increased penalty for elder person victims	429
Chapter 940: Crimes Against Life and Bodily Security [Excerpts]		
940.198	Physical abuse of an elder person	430
940.225	Sexual assault.....	430
940.285	Abuse of individuals at risk	432
940.295	Abuse and neglect of patients and residents	432
Chapter 946: Crimes Against Government and Its Administration [Excerpt]		
946.91	Medical Assistance fraud.....	433
Chapter 971: Criminal Procedure – Proceedings Before and At Trial [Excerpt]		
971.106	Elder person victims and witnesses; duty to expedite proceedings	434
971.108	Elder person victims and witnesses; duty to preserve testimony	435
971.109	Freezing assets of a person charged with financial exploitation of an elder person.....	435

VI. SELECTED WISCONSIN ADMINISTRATIVE CODE PROVISIONS

Chapter DHS 101: Introduction and Definitions.....	439
Chapter DHS 102: Application	451
Chapter DHS 103: Eligibility	455
Chapter DHS 104: Recipient Rights and Duties.....	477

Chapter DHS 105: Provider Certification.....	481
Chapter DHS 106: Provider Rights and Responsibilities	515
Chapter DHS 107: Covered Services	529
Chapter DHS 108: General Administration	585
Chapter DHS 109: Senior Care	593
Chapter DHS 137: Anatomical Gifts	607

VII. SELECTED FEDERAL LAWS AND REGULATIONS

INDEX

