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WHA Testimony Highlights Importance of Reducing Complexity in Child Mental Health Laws

In testimony to a joint hearing of the Senate Committee on Mental Health, Substance Abuse Prevention, Children & Families and the Assembly Committee on Mental Health and Substance Abuse Prevention, WHA highlighted shared goals and challenges facing all stakeholders in navigating the complexities of Wisconsin's child and adolescent mental health treatment laws.

WHA General Counsel Matthew Stanford and Rogers Behavioral Health Chief Medical Officer Jerry Halverson, MD, testified together in a joint presentation about Senate Bill 109/Assembly Bill 114, which regards clinician initiation of emergency detention of minors and Senate Bill 107/Assembly Bill 112, regarding minor consent to mental health treatment.



Jerry Halverson, MD and Matthew Stanford testified at a public hearing about emergency detention of minors and minor consent to mental health treatment.

"Mental health, especially child and adolescent mental health, is often complex, presenting both clinically challenging issues and legally complex issues," said Stanford, noting that this complexity impacts multiple stakeholders that each have a role in mental health emergency detention in particular.

"A commonality across all these stakeholders is a shared desire for positive outcomes. While each stakeholder brings different experiences and expertise that shape their views on the best path to that positive outcome, all struggle with complexity of the system," said Stanford. He continued, "That complexity results in variation in interpretation, and in turn variation in services, access barriers and undesired outcomes for patients."

Dr. Halverson discussed challenges that he believed would continue to occur without further clarification in the bills, especially regarding county health and human service agency authority to override clinical determinations of what is the least restrictive treatment for a minor.

Dr. Halverson also discussed the important role of law enforcement in emergency detention situations.

"[Without law enforcement] how do I detain the patient?" asked Dr. Halverson. "Do I have my bachelor's prepared therapist try to hold the kid down?"

"We can say we don't want the police involved. But by definition, if we're talking about a danger to self or others, that becomes more of a legal issue than a psychiatric issue; it becomes a safety issue," said Halverson. "I think the idea is good [to not have police involved], but it just causes me some real-life concerns."

"WHA looks forward to continuing engagement with the Senate and Assembly committees and partner stakeholders to address these outstanding questions and opportunities for better clarity in the bills," said Stanford. "Our intent of such work is to help reduce the

likelihood of variation in interpretation of emergency detention statutes and procedures across Wisconsin, and in turn reduce variation in services and outcomes for patients experiencing a mental health crisis.”

WHA’s written testimony was also included in a joint email to the committee from the Wisconsin Chapter of the National Alliance on Mental Illness (NAMI), the Wisconsin Association of Family and Children’s Agencies (WAFCA) and WHA, containing each of the organizations’ testimony.

“We are committed to finding common ground and will continue to seek resolution of the outstanding questions our organizations and others are sharing with the committees today,” stated the joint communication from NAMI, WAFCA and WHA. “We look forward to working with you to refine these bills to improve our systems of care and our responses to youth mental health needs, especially for those in crisis.”

[Click here for WHA’s written testimony on Senate Bill 109/Assembly Bill 114 regarding clinician initiation of emergency detention of minors](#)

[Click here for WHA’s written testimony on Senate Bill 107/Assembly Bill 112 regarding minor consent to mental health treatment.](#)

In October, WHA and Children’s Wisconsin highlighted several challenges and opportunities in testimony to the Legislative Council Study Committee on Emergency Detention and Civil Commitment of Minors. One of those recommendations, establishing psychiatric residential treatment facilities for minors, was also heard during the joint committee hearing, as Senate Bill 106/Assembly Bill 111, with Children’s Wisconsin providing testimony.

For more information on WHA’s prior testimony and recommendations, see [WHA and Children’s Wisconsin Highlight Challenges, Opportunities to Children’s Mental Health Study Committee](#).

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- [WHA's Wisconsin Rural Health Conference is NEXT WEEK!](#)
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EDUCATION EVENTS

Jun. 4, 2025

[2025 Wisconsin Rural Health Conference](#)

Aug. 8, 2025

[WHA Financial Workshop](#)

Sep. 17, 2025

[2025 Annual Wisconsin Organization of Nurse Leaders Conference](#)