State of Wisconsin

Date of enactment: **May 30, 1996**
1995 Assembly Bill 622 Date of publication*: **June 13, 1996**

1995 WISCONSIN ACT 375

AN ACT *to create* 767.24 (7m) and 767.51 (3r) of the statutes; **relating to:** requiring a parent to provide medical and medical history information in certain actions affecting the family.

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

SECTION **1.** 767.24 (7m) of the statutes is created to read:

767.24 **(7m)** MEDICAL AND MEDICAL HISTORY INFORMATION. (a) In making an order of legal custody, the court shall require a parent who is not granted legal custody of a child to provide to the court medical and medical history information that is known to the parent. If the court orders joint legal custody, the court shall require each parent to provide to the court medical and medical history information that is known to the parent. The court shall keep the information confidential and may release it only as provided in this subsection. The information provided shall include all of the following:

1. The known medical history of the parent providing the information, including specific information about stillbirths or congenital anomalies in the parent's family, and the medical histories, if known, of the parents and siblings of the parent and any sibling of the child who is a child of the parent, except that medical history information need not be provided for a sibling of the child if the parent or other person who is granted legal custody of the child also has legal custody, including joint legal custody, of that sibling.

2. A report of any medical examination that the parent providing the information had within one year before the date of the order.

(b) Upon the joint written request of a physician and a parent or other person with legal custody of the child, the court shall release the information provided under par. (a) to a physician designated in the request. The physician joining in the request need not be the same physician designated in the request. The physician to whom the information is released shall keep the information confidential, but may release to the parent or other person with legal custody who made the request under this paragraph only that portion of the information that the physician determines is relevant to the child's medical condition.

SECTION **2.** 767.51 (3r) of the statutes is created to read:

767.51 **(3r)** (a) In making an order of legal custody under sub. (3), the court shall require a parent who is not granted legal custody to provide to the court medical and medical history information that is known to the parent. If the court orders joint legal custody, the court shall require each parent to provide to the court medical and medical history information that is known to the parent. The court shall keep the information confidential and

* Section 991.11, WISCONSIN STATUTES 1993–94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

may release it only as provided in this subsection. The information provided shall include all of the following:

1. The known medical history of the parent providing the information, including specific information about stillbirths or congenital anomalies in the parent's family, and the medical histories, if known, of the parents and siblings of the parent and any sibling of the child who is a child of the parent, except that medical history information need not be provided for a sibling of the child if the parent or other person who is granted legal custody of the child also has legal custody, including joint legal custody, of that sibling.

2. A report of any medical examination that the parent providing the information had within one year before the date of the judgment or order.

(b) Upon the joint written request of a physician and a parent or other person with legal custody of the child, the court shall release the information provided under par. (a) to a physician designated in the request. The physician joining in the request need not be the same physician designated in the request. The physician to whom the information is released shall keep the information confidential, but may release to the parent or other person with legal custody who made the request under this paragraph only that portion of the information that the physician determines is relevant to the child's medical condition.