

To: Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families  
From: Disability Rights Wisconsin (Contact: Lisa Hassenstab, Public Policy Manager, [lisah@drwi.org](mailto:lisah@drwi.org))  
Date: February 1, 2024  
Re: **SB913** - relating to: psychiatric residential treatment facilities, providing an exemption from emergency rule procedures, and granting rule-making authority.

Disability Rights Wisconsin (DRW) is a private non-profit organization that protects the rights of people with disabilities statewide, with a mission to advance the dignity, equality, and self-determination of people with disabilities. DRW serves as the federally mandated Protection and Advocacy system for the State of Wisconsin, charged with protecting the rights of children and adults with disabilities and keeping them free from abuse and neglect. With this mission and charge, DRW supports SB913.

Children with disabilities and their families often need additional supports and services to fully participate in and thrive in their communities. Disability Rights Wisconsin strongly believes that children with disabilities should receive these supports in their own homes, schools, and communities. For a small percentage of youth, there may be short periods of time when their needs require a higher level of support and safety, which could include a stay in a Psychiatric Residential Treatment Facility (PRTF), a specific type of residential facility for youth needing a high level of care for significant mental health needs.

Because Wisconsin does not have PRTFs, some youth requiring this higher level of support and safety have been sent to PRTFs in other states to receive these services. When this occurs, it separates these youth from their families and communities, and makes continuity of care upon discharge more difficult. SB913, which would establish a certification process for PRTFs and require a budget request to implement these regulations, is a good step toward keeping youth close to their homes and communities at a time when proximity to these supports is critical.

DRW is interested in ensuring these facilities are carefully developed and have a plan for ongoing oversight to ensure the very best quality of care in a safe, secure environment.

**National Disability Rights Network [published a report](#) in 2021 on for-profit private residential treatment facilities** which states, "Children and youth with disabilities who end up in these facilities are often placed out of state and out of sight. They are far away from home, making it difficult for parents or guardians to monitor health and safety. They operate with little

government oversight.” The report identified circumstances where children were hurt, isolated, not provided treatment, and even killed while in “care” in some of these private residential facilities. **The report also includes excellent recommendations (p. 61-65) DRW believes must be followed to ensure youth with the highest needs are safely receiving the treatment they require in this type of restrictive setting.** DRW also believes it is critical for individuals with lived experience and advocates to participate in developing the rules for PRTFs.

Thank you for your consideration of these comments, and please don’t hesitate to reach out with any questions.