



Rights of Children and Adolescents in Outpatient Mental Health Treatment

Outpatient Treatment Consent

If you are under 14 years old a parent or guardian must agree in writing for you to receive outpatient mental health treatment.

If you are 14 years or older you and your parent or guardian must agree for you to receive outpatient mental health treatment. If you want treatment but your parent or guardian is unable to or will not agree, you can petition the County Mental Health Review Officer for a review.

If you do not want treatment but your parent or guardian does, the treatment director for the clinic must petition the Mental Health Review Officer for a review.

Review by MHRO and/or court

Each juvenile court appoints an MHRO for their county. The MHRO for Marathon County is Sandra J. Marcus, Marathon County Circuit Court Commissioner. 500 Forest St., Wausau, WI 54403. Phone: 715-261-1380.

The juvenile court must ensure that you are provided any necessary assistance in the petition for review. The MHRO must inform your County of the petition for review. If you requested and the MHRO thinks it is in your best interest, review by the MHRO can be skipped and the review will be done by the court.

If the MHRO does a review, a hearing must be held within 21 days of the filing of the petition for the review. Everyone must get at least 96 hours notice of the hearing. To approve your treatment against your will the MHRO must find that all these are true: 1. The refusal of consent is unreasonable. 2. You are in need of treatment. 3. The treatment is appropriate and least restrictive for you. 4. The treatment is in your best interests. You and your parent/guardian will be informed of the right to a judicial review.

Judicial review

Within 21 days of the MHRO's ruling, you or someone acting on your behalf can petition the juvenile court for judicial review. If you do not want the treatment, the court must appoint you an attorney at least seven days prior to the hearing. If it is your parent/guardian does not want the treatment and you do not already have a lawyer, the court must appoint. A court hearing must be held within 21 days of the petition. Everyone must get at least 96 hours notice of the hearing. To prove your treatment against your will or despite the refusal of your parent last guardian the judge must find that all are true; 1. the refusal of consent is unreasonable. 2. you are in need of treatment. 3. The treatment is appropriate and least restrictive for you 4. The treatment is in your best interests. The court ruling does not mean that you have a mental illness. The courts ruling can be appealed to the Wisconsin Court Of Appeals.

AODA Treatment

At any age, if your parent or guardian agrees to it, you can be required to participate in treatment for alcohol or other drug abuse. If you are less than 12, you make it limited treatment without your parent or guardian's consent only if they cannot be found or you do not have one. If you are 12 or older, you can be provided some limited treatment without your parent or guardian's consent or knowledge.

Treatment Rights You must be provided prompt and adequate treatment. If you are 14 years or older, you can refuse treatment until the court orders it. You must be told about your treatment and care. You have the right to and are encouraged to participate in the planning of your treatment and care. Your relatives must be informed of any costs they may have to pay for your treatment.

Personal Rights You must be informed of your rights. Reasonable decisions must be made about your treatment and care. You cannot be treated unfairly because of your race, national origin, sex, religion, disability or sexual orientation.

Record Access and Privacy Staff must keep your treatment information private/confidential. However, it is possible that your parents may see your records if you want to see your records, ask a staff member you may always see your records on any medications you take. Staff may limit how much you may see of your other records. The must give you reasons for any limits. If you are at least 14, you can consent to releasing your own records to others.

Patient Rights Help If you want to know more about your rights or feel your rights have been violated, you may do any of the following:

- Contact the patient rights staff if you have any questions. The contact information is below.
- File a complaint. Patient rights will look into your complaints and they'll keep your complaints private/confidential; however, they may need to ask staff about the situation.
- Call Disability Rights Wisconsin. They are advocates and lawyers who can help you with patient rights issues. Their phone number is 608-267-0368 or 1-800-928-8778.