

MEDICATIONS – REFUSING ON RELIGIOUS GROUNDS

THE LAW

"...Except when medication... has been **ordered by the court** under par. (g) or is **necessary to prevent serious physical harm to others as evidenced by a recent overt act, attempt or threat to do such harm**, a patient may **refuse medications...** if the patient is a member of a **recognized religious organization** and the religious **tenets of such organization prohibit such medications and treatment**. The individual shall be **informed of this right** prior to administration of medications or treatment whenever the patient's condition so permits."

§ 51.61(1)(h), Wis. Stats. [Emphasis added.]

[Note: The Wisconsin Supreme Court held in *Jones v. Gerhardstein*, 141 Wis.2d 710 (1987), that all patients have the right to refuse to consent to medication unless found by a court to be incompetent to make this decision. However, religious reasons may still be asserted as independent grounds for objecting to medication.]

DECISIONS

[None at this time]

[Document last updated: 02/15/12]