

1973 Assembly Bill 491

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CHAPTER 82 , Laws of 1973

AN ACT to repeal and recreate 448.23 (3); and to create 448.23 (4) (b) of the statutes, relating to the contractual employment of physicians by hospitals or nonprofit medical education and research organizations.

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

SECTION 1. 448.23 (3) of the statutes is repealed and recreated to read:

448.23 (3) CONTRACT EXCEPTIONS; TERMS. Notwithstanding any other provision of this section, when a hospital and its medical staff or a medical and education and research organization and its medical staff considers that it is in the public interest, a physician may contract with the hospital or organization as an employe or to provide consultation services for attending physicians as provided in this subsection.

(a) Contracts under this subsection shall:

1. Require the physician to be a member of or acceptable to and subject to the approval of the medical staff of the hospital or medical education and research organization.

2. Permit the physician to exercise his professional judgment without supervision or interference by the hospital or medical education and research organization.

3. Establish the remuneration of the physician.

(b) If agreeable to the contracting parties, the hospital or medical education and research organization may charge the patient for services rendered by the physician, but the statement to the patient shall indicate that the services of the physician, who shall be designated by name, are included in the departmental charges.

(c) No hospital or medical education and research organization may limit staff membership to physicians employed under this subsection.

(d) The responsibility of physician to patient, particularly with respect to professional liability, shall not be altered by any employment contract under this subsection.

SECTION 2. 448.23 (4) (b) of the statutes is created to read:

448.23 (4) (b) "Medical education and research organization" means a medical education and medical research organization operating on a nonprofit basis.

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