

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB535)

Received: **11/09/1999**

Received By: **nelsorpl**

Wanted: **Today**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing: **Joe**

This file may be shown to any legislator: NO

Drafter: **nelsorpl**

May Contact:

Alt. Drafters:

Subject: **Courts - immunity liability**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Wrongful birth and wrongful life

Instructions:

Require physician who fails to provide the test or procedure or to refer pateint to a physician who would to give the patient a brochure prepared by DHFS that explains that there are test available that would indicate serious birth defects and what prenatal tests are available. Require DHFS to prepare the brochure and make them avialable free to any physician who requests them

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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**ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 535**

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 1: before that line insert:

3 ✓ "SECTION lg. 253.02 (4) of the statutes is created to read:

4 253.02 (4) Within 60 days after the effective date of this subsection... [revisor
5 inserts date], the department shall cause to be published in English, Spanish, and
6 other languages spoken by a significant number of state residents, as determined by
7 the department, materials that are in an easily comprehensible format and are
8 printed in type of not less than 12-point size. The materials shall list the prenatal
9 tests available to determine if an unborn child has any serious birth defects and shall
10 explain how the tests are administered and the abnormalities that may result to a
11 child from each serious birth defect. The department shall distribute a reasonably
12 adequate number of the materials to health care providers upon request, shall

1 annually review the materials for accuracy and shall exercise reasonable diligence
2 in providing materials that are accurate and current.”,

History: 1985 a. 56,176; 1991 a. 263; 1993 a 27 8.378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a 27.

3 **2.** Page 2, line 1: delete “**Section 1**” and substitute “**Section 1m**”.

4 **3.** Page 2, line 6: after **that line** insert:

5 “(3) This section does not provide immunity to a person who fails to undertake
6 appropriate prenatal tests or procedures or to refer the woman to another health care
7 provider for those tests or procedures if that person also fails to provide the woman
8 with the ~~brochure~~ ^{materials} prepared by the department of health and family services under
9 s. 253.02 (4).”

text 5
treat 6

10 (END)