



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Assembly Bill 147

Assembly Amendment 1

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Contact: Brian T. Larson, Staff Attorney (266-0680)

2011 Assembly Bill 147 provides that certain statements, gestures, or conduct of a health care provider, or a health care provider's employee or agent, made to a patient or patient's relative or representative, are not admissible into evidence or subject to discovery in certain civil or administrative proceedings. The types of statements, gestures, or conduct included under the bill are those that express apology, benevolence, compassion, condolence, fault, liability, remorse, responsibility, or sympathy. The term "health care provider" includes an inpatient health care facility, ambulatory surgical center, cooperative health care association, hospice, community-based residential facility, rural medical center, physician, physician assistant, nurse, physical therapist, chiropractor, optometrist, dentist, psychologist, or pharmacist.

Assembly Amendment 1 expands the definition of health care provider to also include an *adult family home* and a *residential care apartment complex*.

Legislative History

On October 20, 2011, Representative Severson offered Assembly Amendment 1. On October 25, 2011, Assembly Amendment 1 was adopted by the Assembly. On November 1, 2011, Assembly Bill 147, as amended, was passed by the Assembly on a vote of Ayes, 62; Noes, 33; and Paired, 2.

BTL:jal