



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 103

**Senate
Amendment 1**

Memo published: June 30, 2011

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2011 Senate Bill 103 limits the admissibility and discoverability of certain statements, gestures, and conduct by health care providers, their employees, and agents. Specifically, Senate Bill 103 excludes from admission or discovery a statement, gesture, or conduct, made by the health care provider or his or her employee or agent, expressing apology, benevolence, compassion, condolence, fault, liability, remorse, responsibility, or sympathy to a patient or the patient's relative or representative.

Senate Amendment 1 expands the definition of relative under the bill. The bill as originally drafted defined "relative" as a parent, grandparent, stepparent, brother, sister, first cousin, nephew or niece; or uncle or aunt within the third degree of kinship. It specified that the definition included relationships by blood, marriage, or adoption. Under the amendment, "relative" means a parent, grandparent, great-grandparent, stepparent, step-grandparent, brother, sister, child, stepchild, grandchild, step-grandchild, great-grandchild, first cousin, second cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, half brother or half sister or any other person related by blood, marriage, or adoption.

Legislative History

Senator Galloway offered Senate Amendment 1 on May 31, 2011. On June 28, 2011, the Senate Committee on Judiciary, Utilities, Commerce, and Government Operations recommended adoption of the amendment on a vote of Ayes 5; Noes, 0. On the same day, the committee recommended passage of the bill, as amended, on a vote of Ayes 3; Noes 2.

DM:jal