

State of Misconsin 1999 - 2000 LEGISLATURE

LRBa0897/1 RPN&PJK:wlj:hmh

## **ASSEMBLY AMENDMENT 18,** TO ASSEMBLY SUBSTITUTE AMENDMENT 1, **TO 1999 ASSEMBLY BILL 518**

November 2, 1999 – Offered by Representative WASSERMAN.

1	At the locations indicated, amend the substitute amendment as follows:
2	<b>1.</b> Page 1, line 8: after "plans" insert ", suing managed care plans".
3	<b>2.</b> Page 4, line 11: after that line insert:
4	"SECTION 17m. 609.39 of the statutes is created to read:
5	609.39 Right to sue. A person may bring an action in tort against a managed
6	care plan for a bad faith denial of coverage.
7	<b>SECTION 17n.</b> 609.39 of the statutes, as created by 1999 Wisconsin Act $\dots$ (this
8	act), is amended to read:
9	609.39 Right to sue. A person may bring an action in tort against a managed
10	care plan for a bad faith denial of coverage, unless the person has requested and
11	received an independent review of the managed care plan's denial of coverage, as
12	<u>provided under s. 632.835</u> .".

1	<b>3.</b> Page 16, line 9: after that line insert:
2	"SECTION 21m. Initial applicability.
3	(1) LAWSUITS AGAINST MANAGED CARE PLANS. The creation of section 609.39 of the
4	statutes first applies to claims arising on the effective date of this subsection.".
5	4. Page 16, line 16: delete "takes" and substitute "and the amendment of
6	section 609.39 of the statutes take".
7	(END)