



State of Wisconsin
1999 - 2000 LEGISLATURE

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**ASSEMBLY AMENDMENT 7,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 518**

October 26, 1999 – Offered by Representative WASSERMAN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 8: after “plans” insert “, suing managed care plans”.

3 **2.** 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 **SECTION 17n.** 609.39 of the statutes, as created by 1999 Wisconsin Act (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 provided under s. 632.835.”.

1 **3.** 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)