

State of Wisconsin



2009 Senate Bill 127

Date of enactment: **May 11, 2010**
Date of publication*: **May 25, 2010**

2009 WISCONSIN ACT 278

AN ACT *to amend* 893.80 (1m) and 893.82 (5m) of the statutes; **relating to:** notification to the state and certain public agencies regarding a medical malpractice claim.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 893.80 (1m) of the statutes is amended to read:

893.80 (1m) With regard to a claim to recover damages for medical malpractice, the time period under provisions of sub. (1) (a) shall be 180 days after discovery of the injury or the date on which, in the exercise of reasonable diligence, the injury should have been discovered, rather than 120 days after the happening of the event giving rise to the claim do not apply. The time periods that apply for commencing an action under this section for damages for medical malpractice are the time periods under ss. 893.55 (1m), (2), and (3) and 893.56.

SECTION 2. 893.82 (5m) of the statutes is amended to read:

893.82 (5m) With regard to a claim to recover damages for medical malpractice, the time periods under provisions of subs. (3), (3m), and (4) shall be 180 days after discovery of the injury or the date on which, in the exercise of reasonable diligence, the injury should have been discovered, rather than 120 days after the event causing the injury do not apply. The time periods for commencing an action under this section for damages for medical malpractice are the time periods under ss. 893.55 (1m), (2), and (3) and 893.56.

SECTION 3. Initial applicability.

(1) This act first applies to acts or omissions that occur on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].