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)**