

1999 DRAFTING REQUEST**Assembly Amendment (AA-ASA(LRBs0139/1)-AB518)**Received: **10/18/1999**Received By: **kahlepj**Wanted: **Soon**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**By/Representing: **Joe Hoey**This file may be shown to any legislator: **NO**Drafter: **kahlepj**

May Contact:

Alt. Drafters: **nelsorp1**Subject: **Insurance - health**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Right to sue

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 10/19/1999	wjackson 10/19/1999		_____			
/1			martykr 10/19/1999	_____	lrb_docadmin 10/19/1999	lrb_docadmin 10/19/1999	

FE Sent For:

<END>

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/?	kahlepj		<i>km 10/19</i>	<i>JD 10/19</i> <i>km 19</i>			

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<END>

① to 520

a0766

(a) reduce filing fee to \$20
nonrefundable fee

(b) ↓ threshold to \$200

②

(a) ↓ \$20 - but keep refundable

(b) + \$200 for threshold

a0767

③

direct access of AB 520 as and it

a0768

④

right to sue as and it

a0769

from AB 520

⑤

use sub a0139/1 as sub to file

50148

(a) ↓ \$20 fee refundable

(b) ↓ \$200 threshold

(c) include direct access stuff from AB 520

(d) include right to sue from AB 520

(3313)





RPN*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0139/1),
TO 1999 ASSEMBLY BILL 518**

Wed
D-note

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

1 received an independent review of the managed care plan's denial of coverage, as
2 provided under s. 632.835."

3 ✓ **3.** Page 16, line 9: after that line insert:

4 "SECTION 21m. Initial applicability.

5 (1) LAWSUITS AGAINST MANAGED CARE PLANS. The creation of section 609.39 of the
6 statutes first applies to claims arising on the effective date of this subsection."

7 ✓ **4.** Page 16, line 16: delete "takes" and substitute "and the amendment of
8 section 609.39 of the statutes take".

9 (END)

D-note

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4 This amendment adds the
right to sue managed care plans to
the ~~external review~~ substitute
amendment to the external review
bill.

PTK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0769/1dn
PJK:wlj:km

October 19, 1999

This amendment adds the right to sue managed care plans to the substitute amendment to the external review bill.

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