

**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 **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)**