

2003 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB67)

Received: **05/23/2003**

Received By: **rryan**

Wanted: **05/27/2003**

Identical to LRB:

For: **Christine Sinicki (608) 266-8588**

By/Representing: **Mary Beth George**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Health - decisionmaking**

Extra Copies: **MDK
DAK**

Submit via email: **YES**

Requester's email: **Rep.Sinicki@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Health care declarations and health care power of attorney; palliative drugs

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>
/?							
/1	rryan 05/27/2003	kgilfoy 05/27/2003	rschluet 05/27/2003	_____	mbarman 05/27/2003		
/2	mkunkel 05/28/2003	kgilfoy 05/28/2003	pgreensl 05/28/2003	_____	sbasford 05/28/2003	sbasford 05/28/2003	

FE Sent For:

<END>

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DAK**

Robin Ryan

Submit via email: **YES**

Requester's email: **Rep.Sinicki@legis.state.wi.us** ✓

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/?							
/1	rryan 05/27/2003	kgilfoy 05/27/2003	rschluet 05/27/2003	<i>5/28</i>	mbarman 05/27/2003		

FE Sent For:

5/28 PB PSM

<END>

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May Contact:

Addl. Drafters:

Subject: Health - decisionmaking

Extra Copies: MDK
DAK
KMG

Submit via email: YES

Requester's email: Rep.Sinicki@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

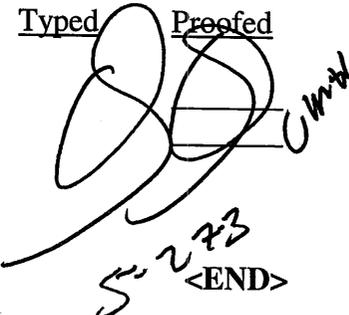
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Health care declarations and health care power of attorney; palliative drugs

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1?	rryan	1-5/27 KMG					

FE Sent For:

<END>

5/23/03

Phone Call from Mary Beth George (Sinicki)

amend to sub to AB 67

want a 170% (palliative drugs)

don't want to change law on
advance directives

also don't want to change law on
health care power of attorney

by Tues P.M.



By 4:00 Tues.

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

RMK

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2003 ASSEMBLY BILL 67

#. Page 1, line 8: after "creed;" insert "and".
#. Page 1, line 10: delete the material beginning with "; and power" and ending with "tubes" on line 12.

INS 1-1

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

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INS 1-10

1. Page 3, line 15: delete the material beginning with that line and ending with page 5, line 10, and substitute:

"7. An act, other than an act committed in compliance with a declaration under s. 154.03 or in compliance with a power of attorney for health care instrument or the decision of a health care agent under ch. 155, that intentionally causes or assists in causing the death of an individual, such as by assisted suicide, euthanasia, or mercy killing."

2. Page 5, line 21: substitute "7" for "8".

3. Page 6, line 7: substitute "7" for "8".

4. Page 6, line 21: substitute "to 7" for "to 8".

1 ✓ **5.** Page 7, line 9: delete lines 9 to 15 and substitute:

2 "7. An act, other than an act committed in compliance with a declaration under
3 s. 154.03 or in compliance with a power of attorney for health care instrument or the
4 decision of a health care agent under ch. 155, that intentionally causes or assists in
5 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
6 killing."

7 ✓ **6.** Page 7, line 20: substitute "7" for "8".

8 ✓ **7.** Page 8, line 3: substitute "7" for "8".

9 ✓ **8.** Page 8, line 8: substitute "7" for "8".

10 ✓ **9.** Page 8, line 14: substitute "7" for "8".

11 ✓ **10.** Page 8, line 20: substitute "7" for "8".

INS 2-11 →

12 ✓ **11.** Page 10, line 9: substitute "to 7" for "to 8".

13 ✓ **12.** Page 10, line 22: delete the material beginning with that line and ending
14 with page 11, line 4 and substitute:

15 "7. An act, other than an act committed in compliance with a declaration under
16 s. 154.03 or in compliance with a power of attorney for health care instrument or the
17 decision of a health care agent under ch. 155, that intentionally causes or assists in
18 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
19 killing."

20 ✓ **13.** Page 11, line 9: substitute "7" for "8".

INS 2-20 →

21 ✓ **14.** Page 12, line 22: substitute "to 7" for "to 8".

22 ✓ **15.** Page 13, line 11: delete lines 11 to 17 and substitute:

1 “7. An act, other than an act committed in compliance with a declaration under
 2 s. 154.03 or in compliance with a power of attorney for health care instrument or the
 3 decision of a health care agent under ch. 155, that intentionally causes or assists in
 4 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
 5 killing.”.

6 ✓ **16.** Page 13, line 22: substitute “7” for “8”.

7 ✓ **17.** Page 13, line 23: delete the material beginning with that line and ending
 8 with page 14, line 8 and substitute

9 “in the practice with respect to the activity.”.

10 ✓ **18.** Page 16 line 1: delete lines 1 to 7 and substitute:

11 “(g) An act, other than an act committed in compliance with a declaration under
 12 s. 154.03 or in compliance with a power of attorney for health care instrument or the
 13 decision of a health care agent under ch. 155, that intentionally causes or assists in
 14 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
 15 killing.”.

16 ✓ **19.** Page 16, line 10: substitute “(g)” for “(h)”.

17 ✓ **20.** Page 16, line 25: substitute “to 7.” for “to 8.”.

18 ✓ **21.** Page 17, line 1: substitute “to 7.” for “to 8.”.

19 ✓ **22.** Page 17, line 3: substitute “to 7.” for “to 8.”.

20 ✓ **23.** Page 17, line 6: delete lines 6 to 10.

21

(END)

INS 3-9

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 67**

INS to 20546/1

At the locations indicated, amend the substitute amendment as follows.

- 1
- 2 ✓ 1. Page 2, line 20: after "(a)," insert "and other than drugs for the control of
- 3 pain,".
- 4
- 5 2. Page 6, line 19: after "(a)," insert "and other than drugs for the control of
- 6 pain,".
- 7 3. Page 10, line 7: after "(a)," insert "and other than drugs for the control of
- 8 pain,".
- 9 4. Page 12, line 20: after "(a)," insert "and other than drugs for the control of
- 10 pain,".

INS 1-1

INS 1-10

INS 2-11

INS 2-20

INS
3-9:2
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5. Page 15, line 7: after "(a)," insert "and other than drugs for the control of pain,".

(END)

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**ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 67**

INSERT 1-1

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

- 1. Page 1, line 8: after "creed;" insert "and".
- 2. Page 1, line 10: delete the material beginning with "; and power" and ending with "tubes" on line 12.
- 3. Page 2, line 20: after "(a)," insert "and other than drugs for the control of pain,".
- 4. Page 3, line 15: delete the material beginning with that line and ending with page 5, line 10, and substitute:
 - 7. An act, other than an act committed in compliance with a declaration under s. 154.03 or in compliance with a power of attorney for health care instrument or the decision of a health care agent under ch. 155, that intentionally causes or assists in

1 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
2 killing.”.

3 **5.** Page 5, line 21: substitute “7.” for “8.”.

4 **6.** Page 6, line 7: substitute “7.” for “8.”.

5 **7.** Page 6, line 19: after “(a),” insert “and other than drugs for the control of
6 pain,”.

7 **8.** Page 6, line 21: substitute “to 7.” for “to 8.”.

8 **9.** Page 7, line 9: delete lines 9 to 15 and substitute:

9 “7. An act, other than an act committed in compliance with a declaration under
10 s. 154.03 or in compliance with a power of attorney for health care instrument or the
11 decision of a health care agent under ch. 155, that intentionally causes or assists in
12 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
13 killing.”.

14 **10.** Page 7, line 20: substitute “7.” for “8.”.

15 **11.** Page 8, line 3: substitute “7.” for “8.”.

16 **12.** Page 8, line 8: substitute “7.” for “8.”.

17 **13.** Page 8, line 14: substitute “7.” for “8.”.

18 **14.** Page 8, line 20: substitute “7.” for “8.”.

19 **15.** Page 10, line 7: after “(a),” insert “and other than drugs for the control of
20 pain,”.

21 **16.** Page 10, line 9: substitute “to 7.” for “to 8.”.

22 **17.** Page 10, line 22: delete the material beginning with that line and ending
23 with page 11, line 4, and substitute:

1 “7. An act, other than an act committed in compliance with a declaration under
2 s. 154.03 or in compliance with a power of attorney for health care instrument or the
3 decision of a health care agent under ch. 155, that intentionally causes or assists in
4 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
5 killing”.

6 **18.** Page 11, line 9: substitute “7.” for “8.”.

7 **19.** Page 12, line 20: after “(a),” insert “and other than drugs for the control
8 of pain,”.

9 **20.** Page 12, line 22: substitute “to 7.” for “to 8.”.

10 **21.** Page 13, line 11: delete lines 11 to 17 and substitute:

11 “7. An act, other than an act committed in compliance with a declaration under
12 s. 154.03 or in compliance with a power of attorney for health care instrument or the
13 decision of a health care agent under ch. 155, that intentionally causes or assists in
14 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
15 killing.”.

16 **22.** Page 13, line 22: substitute “7.” for “8.”.

17 **23.** Page 13, line 23: delete the material beginning with that line and ending
18 with page 14, line 8, and substitute “in the practice with respect to the activity.”.

19 **24.** Page 15, line 7: after “(a),” insert “and other than drugs for the control of
20 pain,”.

21 **25.** Page 16 line 1: delete lines 1 to 7 and substitute:

22 “(g) An act, other than an act committed in compliance with a declaration under
23 s. 154.03 or in compliance with a power of attorney for health care instrument or the

1 decision of a health care agent under ch. 155, that intentionally causes or assists in
2 causing the death of an individual, such as by assisted suicide, euthanasia, or mercy
3 killing.”.

4 **26.** Page 16, line 10: substitute “(g)” for “(h)”.

5 **27.** Page 16, line 25: substitute “to 7.” for “to 8.”.

6 **28.** Page 17, line 1: substitute “to 7.” for “to 8.”.

7 **29.** Page 17, line 3: substitute “to 7.” for “to 8.”.

8 **30.** Page 17, line 6: delete lines 6 to 10.

9

✓
(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0546/2ins
MDK:.....

INSERT 1-1

- 1 ✓ 1. Page 3, line 21: before the period insert “, except for an act performed in
2 following a do-not-resuscitate order under s. 154.19 (3)”.
- 3 2. Page 3, line ²² 21: ~~after~~ ^{before} that line insert:
4 “SECTION 30. 111.337 (2) (c) of the statutes is created to read:
5 111.337 (2) (c) To require an employee who is a physician to make a good faith
6 attempt to transfer a patient to another physician who will comply with a
7 declaration, as defined in s. 154.02 (1), instrument for power of attorney for health
8 care, as defined in s. 155.01 (10), or health care decision, as defined in s. 155.01 (5),
9 of a health care agent, as defined in s. 155.01 (4).”.
- 10 ✓ 3. Page 5, line 18: delete lines 18 and 19 and substitute ^l ¹
11 ~~Not~~ “~~procedure or removing a human embryo or fetus. A~~ any of the following:
12 (b) Except as provided in sub. (4m), a physician or any other person who is a
13 member of or associated with the”.
- 14 ✓ 4. Page 6, line 1: delete “(c) A physician” and substitute “(c) Except as
15 provided in sub. (4m), a physician”.
- 16 ✓ 5. Page 7, line 15: before the period insert “, except for an act performed in
17 following a do-not-resuscitate order under s. 154.19 (3)”.
- 18 ✓ 6. Page 7, line 17: delete “No A hospital” and substitute “No Except as
19 provided in sub. (4m), a hospital”.
- 20 ✓ 7. Page 7, line 23: delete “No hospital” and substitute “No Except as provided
21 in sub. (4m), no hospital”.
- 22 ✓ 8. Page 8, line 23: after that line insert:

1 "SECTION 14m. 253.09 (4m) of the statutes is created to read:

2 253.09 (4m) Subsections (1r) (b) and (c), (2), and (3) do not apply to the refusal,
3 or the statement of an intention to refuse, of a physician to make a good faith attempt
4 to transfer a patient to another physician who will comply with a declaration, as
5 defined in s. 154.02 (1), instrument for power of attorney for health care, as defined
6 in s. 155.01 (10), or health care decision, as defined in s. 155.01 (5), of a health care
7 agent, as defined in s. 155.01 (4)."

8 ✓ 9. Page 11, line 4: before the period insert " , except for an act performed in
9 following a do-not-resuscitate order under s. 154.19 (3)".

10 ✓ 10. Page 11, line 23: delete the material beginning with that line and ending
11 with page 14, line 18.

12 ✓ 11. Page 16, line 7: before the period insert " , except for an act performed in
13 following a do-not-resuscitate order under s. 154.19 (3)".

14 ✓ 12. Page 17, line 1: delete "448.03 (5) (title), (a), (ag), (am) 1. to 8., (ao), and
15 (ar),".

END OF INSERT 1-1

✓ #. Page 16, line 24: delete "and (1r) (b)," and substitute "(1r) (b) and (2) (c)"

✓ # Page 16, line 25: before "and (5)" insert "(4m)"