

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB207)

Received: 06/10/2005

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing: **Stephanie Hilton**

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

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Require refusing physicians to notify patient verbally and in writing

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>
/?	csundber 06/11/2005	csicilia 06/12/2005		_____			
/1			rschluet 06/12/2005	_____	sbasford 06/13/2005	sbasford 06/13/2005	

FE Sent For:

<END>

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Topic:

Require refusing physicians to notify patient verbally and in writing ; refusal to transfer is profi misconduct

Instructions:

See Attached

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/?	csundber	1 cjs 6/12					
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Handwritten notes and signatures: "1 cjs 6/12", "6/25", and a large signature.

FE Sent For:

<END>

Sundberg, Christopher

From: Hilton, Stephanie
Sent: Thursday, June 09, 2005 5:17 PM
To: Sundberg, Christopher
Subject: AB 207 Amendments

Chris,

Rep. Wasserman would like the following amendments to AB 207 drafted asap. I hope they are clear--I will follow-up on this email in case you have any questions.

1. Require that physicians/pharmacists post a note describing what activities they will not be engaged in and failure to post notice is grounds for discipline and legal liability (this is the same as Assembly Amendment 3 to Senate Amendment 1 to AB 67 from last session)
- 2. Require physicians who refuse to participate in activities specified in the bill to orally and in writing inform patients and make a good faith attempt to transfer or refer that patient to another physician. Physician who refuses subject to discipline/liability (Assembly Amendment 9 to Assembly Substitute Amendment 1 to AB 67 from last session)
3. Remove prospective employees from protections provided in the bill (ie, we wouldn't want to require a fertility clinic to be forced to hire someone who was morally opposed to the procedure)

Thank you for your assistance.

Stephanie

Stephanie R. Hilton
Legislative Assistant
Office of Rep. Sheldon Wasserman
Room 214 North
Phone: (608) 266-7671 or (888) 534-0022
Fax: (608) 282-3622

Sundberg, Christopher

From: Hoey, Joseph
Sent: Friday, June 10, 2005 10:32 AM
To: Sundberg, Christopher

Chris,

Here is the amendment from last session. Let me know if you have questions or have any trouble opening the file.

Thanks,

Joe

*Joseph P. Hoey
Office of State Rep. Sheldon Wasserman
P.O. Box 8953, Madison WI 53708-8953
(608) 266-7671 / 888-534-0022 (in-state only)
Joseph.Hoey@legis.state.wi.us*



AB67-ASA1-AA9.pdf

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5 6
2003 - 2004 LEGISLATURE

0723/1
LRBa0577/T

In: 6/11/05
Due: Monday 6/13

MDK&RLR:kmg:pg
CTS
cjs

ASSEMBLY AMENDMENT 9,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2003 ASSEMBLY BILL 67

2005 AB 207

May 29, 2003 - Offered by Representative WASSERMAN.

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

2 1. Page ^{5 20} 3, line ^{fm} 22: before that line insert:

3 "SECTION ^{fm} 111.337 (2) (c) of the statutes is created to read:

4 111.337 (2) (c) To require an employee who is a physician who refuses to
5 participate in an activity specified in sub. (1r) (b) 1. to 8., or states an intention to
6 make such a refusal, to, as soon as practicable, inform, orally or in writing, a patient
7 of the physician about the refusal, to describe for that patient the activity that is the
8 subject of the refusal, and to make a good faith attempt to transfer or refer that
9 patient to another physician who does not refuse to participate in the activity. This
10 paragraph applies only to an activity that is relevant to a patient's condition." ✓

fix component

11 2. Page ^{6 4} 3, line ^{4 5} 18: delete ~~lines 18 and 19~~ and substitute procedure or removing
12 a human embryo or fetus. A. any of the following: ©

that line

¶ #. Page 6, line 5 = delete that line and substitute

1 ^{no #} (b) Except as provided in sub. (4m), a physician or any other person who is a
2 member of or associated with the". ✓

3 ¹³ 3. Page 6, line 4: delete "(c) A physician" and substitute "(c) Except as
4 provided in sub. (4m), a physician". ✓ ^{"No hospital A health"}

5 ^{9 10} 4. Page 7, line 17: delete "No A hospital" and substitute "No Except as
6 provided in sub. (4m), a hospital". ✓ ^{hospital}

7 ^{8 16} 5. Page 7, line 23: delete "No hospital" and substitute "No Except as provided
8 in sub. (4m), no hospital". ✓ ^{health} ^{hospital}

9 ⁹ 6. Page 8, line 23: after that line insert:

10 ^{13m 16m} "SECTION 14m. 253.09 (4m) of the statutes is created to read:

11 253.09 (4m) Subsections (1r) (b) and (c), (2), and (3) do not apply to a physician
12 who refuses to participate in an activity specified in sub. (1r) (a) 1. to 8., or states an
13 intention to make such a refusal, unless the physician, as soon as practicable,
14 informs, orally or in writing, any patient of the physician who has a condition for
15 which the activity is relevant about the refusal, describes for each such patient the
16 activity that is the subject of the refusal, and makes a good faith attempt to transfer
17 or refer each such patient to another physician who does not refuse to participate in
18 the activity." ✓

19 ²⁴ 7. Page 12, line 3: delete "No A person" and substitute "No Except as provided
20 in par. (au), a person". ✓

21 ^{14 13} 8. Page 13, line 19: delete "A person" and substitute "Except as provided in par.
22 (au), a person". ✓

INSERT 2-22

1

9. Page 13, line 23: delete the material beginning with that line and ending with page 14, line 8, and substitute "in the practice with respect to the activity and may not be disciplined by the board or the department for refusing or stating an intention to refuse to participate in the practice with respect to the activity."

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4

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10. Page 14, line 18: after that line insert:

6

"SECTION 27m. 448.03 (5) (au) of the statutes is created to read:

7

448.03 (5) (au) Paragraphs (am) and (an) do not apply to a physician who refuses to participate in an activity specified in par. (am) 1. to 8., or states an intention to make such a refusal, unless the physician, as soon as practicable, informs, orally or in writing, any patient of the physician who has a condition for which the activity is relevant about the refusal, describes for each such patient the activity that is the subject of the refusal, and makes a good faith attempt to transfer or refer each such patient to another physician who does not refuse to participate in the activity."

14

15

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

16

12. Page 16, line 25: before "and (5)" insert "(4m),".

17

13. Page 17, line 4: delete "and (ar)" and substitute "(ar), and (au)".

18

(END)

INS
3-14

and (aw) ✓

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0723/lins
CTS:.....

1 **Insert 2-22:**

2 **1.** Page 14, line 17: delete the material beginning with “subject” and ending
3 with “155.50 (1) (b)” on line 18 and substitute “subject to par. (aw)”. ✓

4 **Insert 3-14:**

5 **SECTION 26n.** 448.05 (5) (aw) of the statutes is created to read:

6 448.05 (5) (aw) A physician who refuses to participate in an activity specified
7 in par. (am) 1. to 8., or states an intention to make such a refusal, shall make a good
8 faith effort to transfer any patient of the physician who has a condition for which the
9 activity is relevant to another physician who does not refuse to participate in the
10 activity.”. ✓