

2005 Assembly Bill 259

Date of enactment: **August 15, 2005**
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2005 WISCONSIN ACT 36

AN ACT *to amend* 655.001 (7t), 655.005 (2t), 655.23 (5m) and 655.27 (3) (a) 4.; and *to create* 655.002 (1) (em) of the statutes; **relating to:** provider organizations subject to health care liability requirements.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 655.001 (7t) of the statutes is amended to read:

655.001 (7t) "Health care practitioner" means a health care professional, as defined in s. 180.1901 (1m), who is an employee of a health care provider described in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care services that are not in collaboration with a physician under s. 441.15 (2) (b) or under the direction and supervision of a physician or nurse anesthetist.

SECTION 2. 655.002 (1) (em) of the statutes is created to read:

655.002 (1) (em) Any organization or enterprise not specified under par. (d) or (e) that is organized and operated in this state for the primary purpose of providing the medical services of physicians or nurse anesthetists.

SECTION 3. 655.005 (2t) of the statutes is amended to read:

655.005 (2t) Subsection (2) does not affect the liability of a health care provider described in s. 655.002 (1) (d), (e), (em), or (f) for the acts of its employees.

SECTION 4. 655.23 (5m) of the statutes is amended to read:

655.23 (5m) The limits set forth in sub. (4) shall apply to any joint liability of a physician or nurse anesthetist and his or her corporation ~~or~~, partnership, or other organization or enterprise under s. 655.002 (1) (d) ~~or~~, (e), or (em).

SECTION 5. 655.27 (3) (a) 4. of the statutes is amended to read:

655.27 (3) (a) 4. For a health care provider described in s. 655.002 (1) (d), (e), (em), or (f), risk factors and past and prospective loss and expense experience attributable to employees of that health care provider other than employees licensed as a physician or nurse anesthetist.

SECTION 6. Initial applicability.

(1) ORGANIZATIONS SUBJECT TO INSURANCE REQUIREMENTS. This act first applies to all of the following:

(a) Policies that are issued or renewed on the effective date of this paragraph and to policies that are in effect on the effective date of this paragraph, that are in compliance with chapter 655 of the statutes, as affected by this act, and that cover organizations or enterprises that are in compliance with chapter 655 of the statutes, as affected by this act.

(b) Claims made under policies that are issued or renewed on the effective date of this paragraph and to claims made under policies that are in effect on the effective date of this paragraph, that are in compliance with chapter 655 of the statutes, as affected by this act, and that

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

cover organizations or enterprises that are in compliance
with chapter 655 of the statutes, as affected by this act.
