ASSEMBLY AMENDMENT 1,

TO ASSEMBLY SUBSTITUTE AMENDMENT 2,

TO 2005 ASSEMBLY BILL 259

June 14, 2005 – Offered by Representatives COLON, STASKUNAS, CULLEN, MOLEPSKE, PARISI, HEBL, RICHARDS, KESSLER and SHERMAN.

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

2   **1.** Page 1, line 3: after "requirements" insert "and health care liability

3 insurance limits".

4   **2.** Page 2, line 1: before that line insert:

5   "**SECTION 1b.** 619.01 (7) (a) of the statutes is amended to read:

6   619.01 **(7)** (a) *Primary coverage plans.* Health care liability insurance plans

7 established under this paragraph shall provide minimum coverage to insureds in the

8 amount of not less than $200,000 for each occurrence and $600,000 for all

9 occurrences in any one policy year for occurrences before July 1, 1987, $300,000 for

10 each occurrence and $900,000 for all occurrences in any one policy year for

11 occurrences on or after July 1, 1987, and before July 1, 1988, $400,000 for each

12 occurrence and $1,000,000 for all occurrences in any one policy year for occurrences

1   on or after July 1, 1988, and before July 1, 1997, ~~and~~ $1,000,000 for each occurrence

2   and $3,000,000 for all occurrences in any one policy year for occurrences on or after

3   July 1, 1997, and before July 1, 2005, and $500,000 for each occurrence and

4      $1,500,000 for all occurrences in any one policy year for occurrences on or after

5   July 1, 2005, for the protection of persons who are legally entitled to recover damages

6   from the insured for errors, omissions, or neglect in the performance of the insured's

7   professional services. If an insured has excess limits liability coverage or such

8   coverage is available to the insured, the coverage provided under such plans shall be

9   equal to the minimum level of such excess limits coverage. If the insured does not

10   have excess limits liability coverage and such coverage is not available to the

11   insured, the commissioner may establish minimum levels of coverage higher than

12   the minimum limits specified in this paragraph for such plans.".

13   **3.** Page 2, line 1: delete "**SECTION 1**" and substitute "**SECTION 1m**".

14   **4.** Page 2, line 13: after that line insert:

15   "**SECTION 3c.** 655.23 (4) (b) 2. a. of the statutes is amended to read:

16   655.23 **(4)** (b) 2. a.   For occurrence coverage, at least $1,000,000 for each

17   occurrence and $3,000,000 for all occurrences in any one policy year for occurrences

18   on or after July 1, 1997, and before July 1, 2005, and $500,000 for each occurrence

19   and $1,500,000 for all occurrences in any one policy year for occurrences on or after

20   July 1, 2005.

21   **SECTION 3d.** 655.23 (4) (b) 2. b. of the statutes is amended to read:

22   655.23 **(4)** (b) 2. b.   For claims–made coverage, at least $1,000,000 for each claim

23   arising from an occurrence on or after July 1, 1997, and before July 1, 2005,

24   regardless of when the claim is made, and $3,000,000 for all claims in any one

1   reporting year for claims made on or after July 1, 1997, and before July 1, 2005, and

2   $500,000 for each claim arising from an occurrence on or after July 1, 2005, and

3   $1,500,000 for all claims in any one reporting year for claims made on or after July

4   1, 2005.

5   **SECTION 3f.** 655.23 (4) (c) 1. of the statutes is amended to read:

6   655.23 **(4)** (c) 1.   Except as provided in subd. 2., self–insurance shall be in

7   amounts of at least $200,000 for each occurrence and $600,000 for all occurrences in

8   any one policy year for occurrences before July 1, 1987, $300,000 for each occurrence

9   and $900,000 for all occurrences in any one policy year for occurrences on or after

10 July 1, 1987, and before July 1, 1988, $400,000 for each occurrence and $1,000,000

11 for all occurrences in any one policy year for occurrences on or after July 1, 1988, and

12 before July 1, 1997, ~~and~~ $1,000,000 for each occurrence and $3,000,000 for all

13 occurrences in any one policy year for occurrences on or after July 1, 1997, and before

14 July 1, 2005, and $500,000 for each occurrence and $1,500,000 for all occurrences in

15 any one policy year for occurrences on or after July 1, 2005.".

16   **5.** Page 3, line 4: delete "This act" and substitute "The treatment of sections

17 655.001 (7t), 655.002 (1) (em), 655.005 (2t), 655.23 (5m), and 655.27 (3) (a) 4. of the

18 statutes".

19   **6.** Page 3, line 15: after that line insert:

20   "(2m) The treatment of sections 619.01 (7) (a) and 655.23 (4) (b) 2. a. and b. of

21 the statutes first applies to policies issued or renewed on the effective date of this

22 subsection.

23   **SECTION 7m. Effective dates.**   This act takes effect on the day after

24 publication, except as follows:

1   (1) The treatment of sections 619.01 (7) (a) and 655.23 (4) (b) 2. a. and b. and

2   (c) 1. of the statutes and SECTION 6 (2m) of this act take effect on July 1, 2005.".

3   **(END)**