

2005 DRAFTING REQUEST

Assembly Amendment (AA-ASA2-AB259)

Received: 06/14/2005

Received By: **pkahler**

Wanted: **Today**

Identical to LRB:

For: **Pedro Colon (608) 267-7669**

By/Representing: **himself**

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

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - other insurance**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Limits for health care liability policies

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>
/?	pkahler 06/14/2005	wjackson 06/14/2005		_____			
/1			pgreensl 06/14/2005	_____	lemery 06/14/2005	lemery 06/14/2005	

FE Sent For:

<END>

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/?	pkahler	1 WJ 6/14	6/14 PS	6/14 PS			

FE Sent For:

<END>

6-14

Rep Colon

draft LRB-2795 as

amdt to AB 259



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa0752/1

PJK:.....

WY

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2005 ASSEMBLY BILL 259

Now
D-note

- 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

~~(END)~~



BILL

larger portions of claims that it would have to pay under current law and could be required to pay portions of claims that it would not have to pay under current law.

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

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

2 619.01 (7) (a) *Primary coverage plans.* Health care liability insurance plans
3 established under this paragraph shall provide minimum coverage to insureds in the
4 amount of not less than \$200,000 for each occurrence and \$600,000 for all
5 occurrences in any one policy year for occurrences before July 1, 1987, \$300,000 for
6 each occurrence and \$900,000 for all occurrences in any one policy year for
7 occurrences on or after July 1, 1987, and before July 1, 1988, \$400,000 for each
8 occurrence and \$1,000,000 for all occurrences in any one policy year for occurrences
9 on or after July 1, 1988, and before July 1, 1997, and \$1,000,000 for each occurrence
10 and \$3,000,000 for all occurrences in any one policy year for occurrences on or after
11 July 1, 1997, and before July 1, 2005, and \$500,000 for each occurrence and
12 \$1,500,000 for all occurrences in any one policy year for occurrences on or after
13 July 1, 2005, for the protection of persons who are legally entitled to recover damages
14 from the insured for errors, omissions, or neglect in the performance of the insured's
15 professional services. If an insured has excess limits liability coverage or such
16 coverage is available to the insured, the coverage provided under such plans shall be
17 equal to the minimum level of such excess limits coverage. If the insured does not
18 have excess limits liability coverage and such coverage is not available to the
19 insured, the commissioner may establish minimum levels of coverage higher than
20 the minimum limits specified in this paragraph for such plans.

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

Handwritten notes:
✓# Page 21, line 10 delete SECTION 10e and substitute
✓# Page 21, line 13 after that line insert
Handwritten annotations: (B), (CS), SECTION 10e, SECTION 10g

BILL

1 655.23 (4) (b) 2. a. For occurrence coverage, at least \$1,000,000 for each
 2 occurrence and \$3,000,000 for all occurrences in any one policy year for occurrences
 3 on or after July 1, 1997, and before July 1, 2005, and \$500,000 for each occurrence
 4 and \$1,500,000 for all occurrences in any one policy year for occurrences on or after
 5 July 1, 2005. Ⓟ 3d

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

7 655.23 (4) (b) 2. b. For claims-made coverage, at least \$1,000,000 for each claim
 8 arising from an occurrence on or after July 1, 1997, and before July 1, 2005,
 9 regardless of when the claim is made, and \$3,000,000 for all claims in any one
 10 reporting year for claims made on or after July 1, 1997, and before July 1, 2005, and
 11 \$500,000 for each claim arising from an occurrence on or after July 1, 2005, and
 12 \$1,500,000 for all claims in any one reporting year for claims made on or after July
 13 1, 2005. Ⓟ 3f

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

15 655.23 (4) (c) 1. Except as provided in subd. 2., self-insurance shall be in
 16 amounts of at least \$200,000 for each occurrence and \$600,000 for all occurrences in
 17 any one policy year for occurrences before July 1, 1987, \$300,000 for each occurrence
 18 and \$900,000 for all occurrences in any one policy year for occurrences on or after
 19 July 1, 1987, and before July 1, 1988, \$400,000 for each occurrence and \$1,000,000
 20 for all occurrences in any one policy year for occurrences on or after July 1, 1988, and
 21 before July 1, 1997, and \$1,000,000 for each occurrence and \$3,000,000 for all
 22 occurrences in any one policy year for occurrences on or after July 1, 1997, and before
 23 July 1, 2005, and \$500,000 for each occurrence and \$1,500,000 for all occurrences in
 24 any one policy year for occurrences on or after July 1, 2005. ✓Ⓟ ←

25 **SECTION 5. Initial applicability.**

✓ #. Page 3, line 4⓪ delete ✓ This act ✓
and substitute ✓ The treatment of ✓
sections 655.001 (7+) ✓; 655.002 (1) (em) ✓;
655.005 (2+) ✓, 655.23 (5m) ✓, and 655.27
(3) (a) 4⓪ of the statutes ✓ ✓ ⓪

✓ #. Page 3, line 15⓪ after that line insert ⓪



BILL

1 (1) *INT App* → *2 km*

(1) The treatment of sections 619.01 (7) (a) and 655.23 (4) (b) 2. a. and b. of the statutes first applies to policies issued or renewed on the effective date of this subsection.

4 *Please Fix Comp.* → SECTION 6. Effective date. *7m* *No ff*

~~This act takes effect on July 1, 2005.~~

~~(END)~~

→ the day after publication, except as follows :

EFF DATE

ff (1) The treatment of sections 619.01(7)(a) and 655.23(4)(b) 2a and b and (c) 10 of the statutes and SECTION 6 (2) *km* of this act take effect on July 1, 2005 *✓* *✓*

(END)

D-note

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¶ This amendment may be ^{considered} considered
nongermane
~~nongermane~~ under assembly rule 54(3)

(F) as substantially expanding the scope
of 2005 Assembly Bill 2590

PTK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0752/1dn
PJK:wlj:pg

June 14, 2005

This amendment may be considered nongermane under assembly rule 54 (3) (f) as substantially expanding the scope of 2005 Assembly Bill 259.

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