



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

April 18, 2006

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 578. This bill would exempt from discovery records related to quality improvement activities by health care providers in civil actions and administrative proceedings and would provide immunity for acts and omissions to persons participating in quality improvement activities.

I am vetoing this bill because it is unnecessarily broad in defining what activities constitute a quality improvement activity and what records would be kept confidential. Patient advocates have raised concerns about adequate access to records needed to redress suspected wrongdoing. These concerns have not been fully resolved. Although I fully support efforts to improve health care quality and to promote the use of legitimate quality improvement activities, this bill goes too far in allowing providers to define and shield information and claim immunity in the name of quality improvement.

Current law provides that most records pertaining to peer review activities are shielded except when the release is explicitly authorized. Current law also provides immunity from civil actions to persons acting in good faith and participating in a peer review activity. The effect of this veto is to maintain the current definition and protection of peer review records and immunity for peer review activities contained in current law.

Efforts to reform peer review or quality improvement activities must balance provider protections with patients' and the public's right to information. This bill fails to strike the proper balance.

Respectfully submitted,

JIM DOYLE
Governor