

2007 DRAFTING REQUEST

Bill

Received: **02/07/2007**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - immunity liability**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Notification to the state regarding medical malpractice

Instructions:

See Attached 05 SB74

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>
/?	rnelson2 02/07/2007	jdye 02/13/2007		_____			State
/1			nnatzke 02/13/2007	_____	sbasford 02/13/2007	cduerst 02/22/2007	

FE Sent For:

<END>

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/?	rnelson2	1 2/13 jld	nwn 2/13	nwh/ 2/13			

FE Sent For:

<END>

Nelson, Robert P.

From: Duerst, Christina
Sent: Tuesday, February 06, 2007 3:24 PM
To: Nelson, Robert P.
Subject: FW: Message for Robert Nelson

From: Briganti, Sarah
Sent: Tuesday, February 06, 2007 3:12 PM
To: LRB.Legal
Cc: Briganti, Sarah
Subject: Message for Robert Nelson

Senator Risser has requested that 2005 Senate Bill 74 be redrafted for introduction this session. This bill is relating to notification of the state regarding a medical malpractice claim.

Please feel free to contact me if you have any questions.

Thank you.

Sarah Briganti
Legislative Assistant
Office of State Senator Fred Risser
220 South, State Capitol
PO Box 7882
Madison, WI 53707
(608)266-1627

2/19 m
2005 SENATE BILL 74

LPS-PWF
please

February 22, 2005 - Introduced by Senator RISSER, cosponsored by Representatives JENSEN, HINES, POCAN, BERCEAU and LEHMAN. Referred to Committee on Judiciary, Corrections and Privacy.

Regen

- 1 AN ACT *to amend* 893.82 (5m) of the statutes; **relating to:** notification of the
2 state regarding a medical malpractice claim. ✓

Analysis by the Legislative Reference Bureau

Under current law, if a person is injured as the result of medical malpractice, he or she must commence an action to recover his or her damages within three years from the date of the injury or within one year from the date that the injury was discovered or should have been discovered, but not more than five years after the date of the injury. Currently, if a health care provider conceals an act from the patient that resulted in the injury, the injured patient must commence the action within one year from the date that the concealment was discovered or should have been discovered, within three years from the date of the injury, or within one year from the date that the injury was discovered, whichever is later. Currently, if a foreign object is left in a patient's body, the patient must commence the medical malpractice action within one year from the date that the person was aware of the object or should have been aware, within three years from the date of the injury, or within one year from the date that the injury was discovered, whichever is later. ✓

Also under current law, if a person wants to bring a civil action against an officer, employee, or agent of the state for an act committed in the course of the officer's, employee's, or agent's duties, the person must first serve a notice of the claim with the attorney general within 120 days after the date of the act. The claim must include the time, date, location, and circumstances of the act that gave rise to the claim, plus the names of the persons involved in the act. If the claim is to recover damages for medical malpractice, the 120-day period is extended to 180 days after the injury was discovered or should have been discovered. ✓

Duerst, Christina

From: Briganti, Sarah
Sent: Thursday, February 22, 2007 10:20 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-1864/1 Topic: Notification to the state regarding medical malpractice

Please Jacket LRB 07-1864/1 for the SENATE.

SENATOR RISSER WOULD LIKE THE STRIPES ASAP
Thanks!