

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 377**

December 11, 2007 – Offered by Representative LEMAHIEU.

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

2 **1.** Page 2, line 14: delete “A hospital” and substitute “Except as provided in
3 sub. (4) (b), a hospital”.

4 **2.** Page 3, line 8: after “(4)” insert “(a)”.

5 **3.** Page 3, line 13: delete “A” and substitute “Except as provided in sub. (4) (b),
6 a”.

7 **4.** Page 3, line 16: after “(4)” insert “(a)”.

8 **5.** Page 3, line 17: after that line insert:

9 “(b) 1. No hospital may be required to comply with a requirement of sub. (2) or
10 (3) if compliance is contrary to a policy of the hospital that is based on moral or
11 religious grounds.

1 2. No hospital may be liable for civil damages resulting from a refusal to comply
2 with a requirement of sub. (2) or (3) if the refusal is based on the hospital policy in
3 subd. 1.

4 3. The receipt of any grant, contract, loan, or loan guarantee under any state
5 or federal law does not authorize any court, any public official, or other public
6 authority to require a hospital to do any of the following:

7 a. Make hospital facilities available for an action under sub. (2) or (3) if taking
8 the action in such facilities is contrary to the hospital policy in subd. 1.

9 b. Provide personnel to take an action under sub. (2) or (3) if the action under
10 sub. (2) or (3) by such personnel is contrary to the hospital policy in subd. 1.

11 **(4m)** (a) No physician or any other individual who is a member of or associated
12 with the staff of a hospital, employee of a hospital, or individual with whom a hospital
13 contracts may be required to take an action under sub. (2) or to help the hospital
14 comply with sub. (3) if taking the action is contrary to the individual's religious
15 beliefs or moral convictions.

16 (b) No individual under par. (a) who refuses to take an action under sub. (2) or
17 to help the hospital comply with sub. (3) may be liable for civil damages resulting
18 from the refusal if the refusal is based on the individual's religious beliefs or moral
19 convictions.

20 (c) No hospital may discriminate against an individual with regard to hiring,
21 firing, or contracting with or otherwise discriminate with respect to terms,
22 conditions, or privileges of employment or contract by reason of the fact that the
23 individual refuses to take an action under sub. (2) or to help the hospital comply with
24 sub. (3) if the refusal is based on the individual's religious beliefs or moral
25 convictions.

1 (d) The receipt of any grant, contract, loan, or loan guarantee under any state
2 or federal law does not authorize any court, any public official, or other public
3 authority to require an individual under par. (a) to take an action under sub. (2) or
4 to help the hospital comply with sub. (3) if taking the action is contrary to the
5 individual's religious beliefs or moral convictions.”.

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(END)