



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 263

Assembly Amendments 1 and 2

Memo published: September 26, 2007

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Under *current law*, a volunteer health care provider, as defined in the law, is treated as an agent of the state Department of Health and Family Services (DHFS) when volunteering at a nonprofit agency or a school if certain requirements are met. The volunteers are treated as state agents for purposes of the statutes that require notice to the Attorney General of a lawsuit, representation by the Attorney General, payment of judgments, and limitation on damages.

Assembly Bill 263 provides that the state agency status applies regardless of whether the volunteer health care provider has coverage under a health care liability insurance policy that would extend to the services provided as part of the volunteer health care provider program. The bill further provides that any policy of health care liability insurance policy providing coverage for services of a health care provider may exclude coverage for services provided by a health care provider acting as part of the volunteer health care provider program.

Assembly Amendment 1 includes chiropractors in the definition of “volunteer health care provider” for purposes of the statute described above. *Assembly Amendment 2* includes physical therapists in the definition of “volunteer health care provider.”

Legislative History

The Assembly Committee on Public Health recommended adoption of Assembly Amendments 1 and 2, and passage of the bill as amended, on votes of Ayes, 8; Noes, 0.

RNS:ksm