



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 127**

January 19, 2010 – Offered by Senators RISSER, ERPENBACH and TAYLOR.

1 **AN ACT** *to amend* 893.80 (1m) and 893.82 (5m) of the statutes; **relating to:**
2 notification to the state and certain public agencies regarding a medical
3 malpractice claim.

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

4 **SECTION 1.** 893.80 (1m) of the statutes is amended to read:
5 893.80 (1m) With regard to a claim to recover damages for medical malpractice,
6 ~~the time period under provisions of sub. (1) (a) shall be 180 days after discovery of~~
7 ~~the injury or the date on which, in the exercise of reasonable diligence, the injury~~
8 ~~should have been discovered, rather than 120 days after the happening of the event~~
9 ~~giving rise to the claim~~ do not apply. The time periods that apply for commencing an
10 action under this section for damages for medical malpractice are the time periods
11 under ss. 893.55 (1m), (2), and (3) and 893.56.

