



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0870/1
SWB:cdc

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 633**

January 15, 2020 - Offered by Representatives SUBECK, C. TAYLOR and SARGENT.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 23: after that line insert:

3 “**SECTION 5m.** 51.15 (11) of the statutes is amended to read:

4 51.15 (11) LIABILITY. Any individual who acts in accordance with this section,
5 including making a determination that an individual has or does not have mental
6 illness or evidences or does not evidence a substantial probability of harm under sub.
7 (1) (ar) 1., 2., 3., or 4. or a determination under sub. (2) (b) that the transfer of an
8 individual is medically appropriate, is not liable for any actions taken in good faith.
9 The good faith of the actor shall be presumed in any civil action. Whoever asserts
10 that the individual who acts in accordance with this section has not acted in good
11 faith has the burden of proving that assertion by evidence that is clear, satisfactory
12 and convincing. When a county, city, village, or town contracts with an ambulance
13 service provider or a 3rd-party vendor that is not a law enforcement agency to

1 provide transport services under sub. (2), if the ambulance service provider or
2 3rd-party vendor meets the criteria established by the department for purposes of
3 reimbursement under the Medical Assistance program, the county, city, village, or
4 town is not liable for any damage or injury that occurs during or as a result of
5 transport by the ambulance service provider or 3rd-party vendor under sub. (2).”.

6

(END)