



**ASSEMBLY AMENDMENT 9,
TO 1995 ASSEMBLY BILL 36**

January 25, 1995 - Offered by COMMITTEE ON INSURANCE, SECURITIES AND
CORPORATE POLICY.

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

2 **1.** Page 2, line 21: after “(f)” insert “, except as provided in s. 893.55 (4) (g)”.

3 **2.** Page 4, line 16: after that line insert:

4 “**SECTION 6m.** 893.55 (4) (g) of the statutes is created to read:

5 893.55 (4) (g) The limit on total noneconomic damages under par. (d) does not
6 apply if the health care provider was, at the time of performing a medical procedure,
7 under the influence of an intoxicant or a controlled substance, as defined in s. 161.01
8 (4), or a combination of an intoxicant and a controlled substance, under the influence
9 of any other drug or under the combined influence of an intoxicant and any other
10 drug to a degree which renders him or her incapable of competently performing the
11 medical procedure.”.

12 (END)