



**SENATE AMENDMENT 4,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 36**

March 8, 1995 – Offered by Senator ADELMAN.

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

2 **1.** Page 3, line 22 after “(f)” insert “, except as provided in s. 893.55 (4) (g)”.

3 **2.** Page 6, line 4: after that line insert:

4 “**SECTION 10m.** 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) is tripled
6 if the health care provider was, at the time of performing a medical procedure, under
7 the influence of an intoxicant or a controlled substance, as defined in s. 161.01 (4),
8 or a combination of an intoxicant and a controlled substance, under the influence of
9 any other drug or under the combined influence of an intoxicant and any other drug
10 to a degree which renders him or her incapable of competently performing the
11 medical procedure.”.

12 (END)