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## State of Misconsin

LRBa2080/1 DAK:jlg:hmh

## **ASSEMBLY AMENDMENT 1,** TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1997 ASSEMBLY BILL 549

March 17, 1998 - Offered by Representative Kelso.

1 At the locations indicated, amend the substitute amendment as follow	as follows:
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- 2 **1.** Page 1, line 5: after the comma insert "publication and distribution of 3 brochures that explain disciplinary procedures for physicians in addition to court 4 action,".
  - **2.** Page 1, line 9: before that line insert:
  - **"Section 1g.** 50.36 (3r) of the statutes is created to read:
- 50.36 (3r) A hospital shall place copies of the brochure distributed by the 8 medical examining board under s. 448.022 (2) in each patient waiting room of the hospital and shall ensure that patients have ready access to the brochure.".
  - **3.** Page 1, line 9: delete "Section 1" and substitute "Section 1m".
- **4.** Page 4, line 24: after that line insert: 11
- "Section 6m. 448.022 of the statutes is created to read: 12

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- **448.022** Brochure explaining physician disciplinary measures. (1) In this section, "hospital" has the meaning given in s. 50.33 (2).
- (2) The board shall cause to have published a brochure and shall distribute reasonable quantities of the brochure to the offices of all physicians and, after consulting with the department of health and family services, to all hospitals, for placement in the physicians' or hospitals' patient waiting rooms. The brochure shall explain that a patient who feels aggrieved by the acts or omissions to act of a physician may, rather than instituting an action in court, file a complaint under s. 440.20 (1) before the department or the board and request commencement of disciplinary proceedings. The brochure shall also specify all of the following:
  - (a) The procedures for filing a complaint.
- (b) The investigatory duties of the board with respect to allegations of unprofessional conduct or negligence in treatment by physicians.
  - (c) The burden of proof.
- (d) The hearing required if the board finds probable cause to believe that the physician is guilty of unprofessional conduct or negligence in treatment.
- (e) The sanctions available to the board to discipline a physician who is found negligent in treating a patient or guilty of unprofessional conduct or negligence in treatment.
- (3) A physician shall place copies of the brochure distributed by the board under sub. (2) in each patient waiting room, if any, of the physician's office and shall ensure that patients have ready access to the brochure.".