



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBs0118/1
RPN:jld:wn

SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 126

September 5, 2007 - Offered by Senator RISSER.

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.

12 **SECTION 2.** 893.82 (5m) of the statutes is amended to read:

893.82 **(5m)** With regard to a claim to recover damages for medical malpractice, the time periods under provisions of subs. (3), (3m), and (4) shall be 180 days after discovery of the injury or the date on which, in the exercise of reasonable diligence, the injury should have been discovered, rather than 120 days after the event causing the injury do not apply. The time periods for commencing an action under this section for damages for medical malpractice are the time periods under ss. 893.55 (1m), (2), and (3) and 893.56.

SECTION 3. Initial applicability.

(1) This act first applies to acts or omissions that occur on the effective date of this subsection.

(END)