



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2015 Senate Bill 405</b>	<b>Senate Amendment 1</b>
<i>Memo published: February 18, 2016</i>	<i>Contact: David Moore, Staff Attorney (266-1946)</i>

### CURRENT LAW

Under current law, with certain exceptions, evidence may generally not be admitted regarding payments made to compensate a person for injury from persons other than the defendant (collateral source payments). Also under current law, health care billing statements or invoices are presumed to state the reasonable value of health care services provided. Evidence of payments made or benefits conferred by collateral sources is not admissible to rebut this presumption.

### 2015 SENATE BILL 405

Senate Bill 405 provides that, in actions for damages caused by personal injury or wrongful death or seeking payment based on uninsured or underinsured motorists coverage, evidence of any compensation for bodily injury received from a source other than the defendant to compensate the claimant for the injury or to pay for medical expenses incurred by the claimant is admissible for the purpose of determining the reasonable value of the claim, including the reasonable value of the injured person's medical expenses. The bill further provides that evidence of payments made by collateral sources may be presented to rebut the presumption of the reasonable value of the health care services provided.

### SENATE AMENDMENT 1

Senate Amendment 1 delays the effective date of the legislation until 30 days after the date of publication.

**BILL HISTORY**

Senate Amendment 1 was offered by the Senate Committee on Judiciary and Public Safety on February 1, 2016. On the same day, the committee voted to recommend adoption of Senate Amendment 1 on a vote of Ayes, 5; Noes, 0, and passage of Senate Bill 405, as amended, on a vote of Ayes, 3; Noes, 2.

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