Assembly

Record of Committee Proceedings

Committee on Insurance

Assembly Bill 1073

Relating to: recovery of noneconomic damages in medical malpractice cases.

By Representatives Gielow, J. Fitzgerald, Wasserman, Ainsworth, Albers, Ballweg, Benedict, Davis, Fields, F. Lasee, Freese, Gottlieb, Gronemus, Gunderson, Hahn, Honadel, Hubler, Hundertmark, Kerkman, Krawczyk, Kreibich, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Musser, Nerison, Newcomer, Nischke, Ott, Pettis, Pridemore, Shilling, Seidel, Sheridan, Stone, Strachota, Suder, Towns, Underheim, Van Roy, Vos, Vruwink, Vukmir, Ward and Ziegelbauer; cosponsored by Senators S. Fitzgerald, Brown, Cowles, Darling, Grothman, Harsdorf, Kapanke, Kedzie, A. Lasee, Leibham, Olsen, Roessler and Zien.

February 27, 2006 Referred to Committee on Insurance.

February 27, 2006 **PUBLIC HEARING HELD**

Present: (12) Representatives Nischke, Underheim, Montgomery, Gielow, Van Roy, Ballweg, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Absent: (3) Representatives Wieckert, McCormick and Moulton.

Appearances For

- William Bablitch Justice, Wisconsin Supreme Court
- Raymond Taffora WHA; St. Med. Society
- Curt Gielow, Madison Representative, Wisconsin State Assembly
- Scott Fitzgerald Senator, Wisconsin State Senate
- Mark Belknap Dr., Wisconsin Medical Society
- Eric Borgerding Mr., Wisconsin Hospital Association
- Mark Grapentine Mr., Wisconsin Medical Society
- Pamela Galloway WISMED
- Claudine Taub Ministry Health Care

Appearances Against

- Amber Hard Center for Justice and Democracy
- Jeff Spitzer-Resnick Disability Rights Wisconsin
- Daniel Rottier, Madison Attorney, Wisconsin Accedemy of Trial Lawyers

- Elizabeth Morrison
- Jessica Greenfield
- Lynn Laufenberg State Bar of Wisconsin

Appearances for Information Only

Randy Sproule

Registrations For

- Raymond Taffora WHA; St. Med. Society
- Jeremy Levin Mr., Wisconsin Medical Society
- Michael Welsh, Madison Mr., Wisconsin Academy of Family Physicians
- Bob Fassbender Civil Trial Counsel of Wisconsin; WI Coalition for Civil Justice
- Amy Boyer Ms., WI Economic Development Assn.
- Susan Turney Dr., WMS
- Bill G. Smith, Madison Mr., National Federation of Independent Business (NFIB); Wisconsin Coalition for Civil Justice

Registrations Against

- Paul Sicula, Milwaukee Mr., Wisconsin Academy of Trial Lawyers
- Keith Clifford Wis. Academy of Trial Lawyers
- Ruth Simpson WATL
- Judy Greenfield
- Darcey Haber, Madison Ms., Wisconsin Citizen Action
- Jane Garrott

February 28, 2006 **EXECUTIVE SESSION HELD**

Present: (14) Representatives Nischke, Wieckert,
Underheim, Montgomery, McCormick,
Gielow, Van Roy, Ballweg, Moulton, Cullen,
Lehman, Berceau, Nelson and Sheridan.

Absent: (1) Representative Staskunas.

Moved by Representative Gielow, seconded by Representative Ballweg that **Assembly Bill 1073** be recommended for passage.

Ayes: (11) Representatives Nischke, Wieckert,
Underheim, Montgomery, McCormick,
Gielow, Van Roy, Ballweg, Moulton,
Berceau and Sheridan.

Noes: (3) Representatives Cullen, Lehman and Nelson.

Absent: (1) Representative Staskunas.

PASSAGE RECOMMENDED, Ayes 11, Noes 3

Adam Peer Committee Clerk