# **Assembly**

# **Record of Committee Proceedings**

# **Committee on Insurance**

## **Assembly Bill 764**

Relating to: awards to persons suffering damages as the result of medical malpractice and evidence of compensation for those damages.

By Representatives Gielow, Huebsch, Nischke, Gard and Nerison; cosponsored by Senator S. Fitzgerald.

October 17, 2005 Referred to Committee on Insurance.

October 18, 2005 **PUBLIC HEARING HELD** 

Present: (13) Representatives Nischke, Wieckert,

Underheim, Montgomery, Gielow, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau,

Nelson and Sheridan.

Absent: (2) Representatives McCormick and Van Roy.

## Appearances For

• None.

#### Appearances Against

• None.

#### Appearances for Information Only

• None.

### Registrations For

- Nick George, Madison Mr., Wisconsin Manufacturing & Commerce
- Ralph Topinka, Janesville Mr., Mercy Health Systems
- Eric Borgerding Mr., Wisconsin Hospital Association
- Maureen McNally, Milwaukee Ms., Froedtert & Community Health
- Elizebeth Schumacher, Madison Ms., Meriter Health Services
- Mark Grapentine Mr., Wisconsin Medical Society
- Mark Adams, Verona Mr.
- Bill G. Smith, Madison Mr., National Federation of Independent Business (NFIB)
- Jaime Hook, Madison UW Medical Students
- Jim Hough, Madison Mr., WCCJ, CTCU, and WEDA

- Kathryn Kuhn, Milwaukee Ms., Medical College of Wisconsin
- Barbara Connelly, Brookfield Ms., Medical College of Wisconsin, Affiliated Hospitals
- Kevin Kortsch, Waukesha Mr., Wisconsin Society of Podiatric Medicine
- John Buonora, Madison Mr., Wisconsin Association of Nurse Anesthetists
- Ron Kuehn, Madison Insurance and Financial Association; Professional Insurance Agents; Independent Insurance Agents
- Curt Gielow Representative

#### **Registrations Against**

- Lisa Roys, Madison Ms., State Bar of Wisconsin
- Daniel Rottier, Madison Attorney, Wisconsin Accedemy of Trial Lawyers
- Don Garner-Gerhardt, Wausau Mr., Teamsters Union

#### October 19, 2005 **EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert,
Underheim, Montgomery, McCormick,
Gielow, Van Roy, Ballweg, Moulton, Cullen,
Lehman, Staskunas, Berceau, Nelson and
Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative Gielow that **Assembly Substitute Amendment LRBs0261** /1 be recommended for introduction.

Ayes: (15) Representatives Nischke, Wieckert,
Underheim, Montgomery, McCormick,
Gielow, Van Roy, Ballweg, Moulton, Cullen,
Lehman, Staskunas, Berceau, Nelson and
Sheridan.

Noes: (0) None.

INTRODUCTION OF ASSEMBLY SUBSTITUTE AMENDMENT LRBS0261 /1 RECOMMENDED, Ayes 15, Noes 0 Moved by Representative Gielow, seconded by Representative McCormick that **Assembly Substitute Amendment LRBs0261**/1 be recommended for adoption.

Ayes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.

Noes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

ASSEMBLY SUBSTITUTE AMENDMENT LRBS0261 /1 ADOPTION RECOMMENDED, Ayes 9, Noes 6

Moved by Representative Gielow, seconded by Representative Underheim that **Assembly Bill 764** be recommended for passage as amended.

Ayes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.

Noes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 6

Adam Peer Committee Clerk