ASSEMBLY AMENDMENT 9,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2003 ASSEMBLY BILL 67

May 29, 2003 – Offered by Representative WASSERMAN.

1   At the locations indicated, amend the substitute amendment as follows:

2   **1.** Page 3, line 22: before that line insert:

3   "**SECTION 3g.** 111.337 (2) (c) of the statutes is created to read:

4   111.337 **(2)** (c) To require an employee who is a physician who refuses to

5 participate in an activity specified in sub. (1r) (b) 1. to 8., or states an intention to

6 make such a refusal, to, as soon as practicable, inform, orally or in writing, a patient

7 of the physician about the refusal, to describe for that patient the activity that is the

8 subject of the refusal, and to make a good faith attempt to transfer or refer that

9 patient to another physician who does not refuse to participate in the activity. This

10 paragraph applies only to an activity that is relevant to a patient's condition.".

11   **2.** Page 5, line 18: delete lines 18 and 19 and substitute "~~procedure or removing~~

12 ~~a human embryo or fetus. A~~ any of the following:

1   "(b) Except as provided in sub. (4m), a physician or any other person who is a

2   member of or associated with the".

3   **3.** Page 6, line 1: delete "(c) A physician" and substitute "(c) Except as

4   provided in sub. (4m), a physician".

5   **4.** Page 7, line 17: delete "No̶ A̲ hospital" and substitute "No̶ Except as

6   provided in sub. (4m), a hospital".

7   **5.** Page 7, line 23: delete "No hospital" and substitute "No̶ Except as provided

8   in sub. (4m), no hospital".

9   **6.** Page 8, line 23: after that line insert:

10   "SECTION 14m. 253.09 (4m) of the statutes is created to read:

11   253.09 **(4m)** Subsections (1r) (b) and (c), (2), and (3) do not apply to a physician

12   who refuses to participate in an activity specified in sub. (1r) (a) 1. to 8., or states an

13   intention to make such a refusal, unless the physician, as soon as practicable,

14   informs, orally or in writing, any patient of the physician who has a condition for

15   which the activity is relevant about the refusal, describes for each such patient the

16   activity that is the subject of the refusal, and makes a good faith attempt to transfer

17   or refer each such patient to another physician who does not refuse to participate in

18   the activity.".

19   **7.** Page 12, line 3: delete "No̶ A̲ person" and substitute "No̶ Except as provided

20   in par. (au), a person".

21   **8.** Page 13, line 19: delete "A person" and substitute "Except as provided in par.

22   (au), a person".

1   **9.** Page 13, line 23: delete the material beginning with that line and ending

2   with page 14, line 8, and substitute "in the practice with respect to the activity and

3   may not be disciplined by the board or the department for refusing or stating an

4   intention to refuse to participate in the practice with respect to the activity.".

5   **10.** Page 14, line 18: after that line insert:

6   "**SECTION 27m.** 448.03 (5) (au) of the statutes is created to read:

7   448.03 **(5)** (au) Paragraphs (am) and (ao) do not apply to a physician who

8   refuses to participate in an activity specified in par. (am) 1. to 8., or states an

9   intention to make such a refusal, unless the physician, as soon as practicable,

10   informs, orally or in writing, any patient of the physician who has a condition for

11   which the activity is relevant about the refusal, describes for each such patient the

12   activity that is the subject of the refusal, and makes a good faith attempt to transfer

13   or refer each such patient to another physician who does not refuse to participate in

14   the activity.".

15   **11.** Page 16, line 24: delete "and (1r) (b)," and substitute "(1r) (b), and (2) (c),".

16   **12.** Page 16, line 25: before "and (5)" insert "(4m),".

17   **13.** Page 17, line 1: delete "and (ar)" and substitute "(ar), and (au)".

18   **(END)**