



**ASSEMBLY AMENDMENT 5,
TO SENATE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 67**

February 5, 2004 - Offered by Representative WASSERMAN.

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

2 **1.** Page 1, line 2: after that line insert:

3 "1b. Page 3, line 22: before that line insert:

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

5 111.337 (2) (c) To require an employee who is a physician who refuses to
6 participate in an activity specified in sub. (1r) (b) 1. to 8., or states an intention to
7 make such a refusal, to, as soon as practicable, inform, orally or in writing, a patient
8 of the physician about the refusal, to describe for that patient the activity that is the
9 subject of the refusal, and to make a good faith attempt to transfer or refer that
10 patient to another physician who does not refuse to participate in the activity. This
11 paragraph applies only to an activity that is relevant to a patient's condition.".

12 **2.** Page 1, line 3: substitute "**1g.**" for "**1.**".

1 **3.** Page 2, line 17: after that line insert:

2 “1j. Page 5, line 18: delete lines 18 and 19 and substitute “~~procedure or~~
3 ~~removing a human embryo or fetus.~~ A any of the following:”

4 (b) Except as provided in sub. (4m), a physician or any other person who is a
5 member of or associated with the”.

6 1k. Page 6, line 1: delete “(c) A physician” and substitute “(c) Except as
7 provided in sub. (4m), a physician”.

8 1L. Page 7, line 17: delete “~~No~~ A hospital” and substitute “~~No~~ Except as
9 provided in sub. (4m), a hospital”.

10 1m. Page 7, line 23: delete “No hospital” and substitute “~~No~~ Except as provided
11 in sub. (4m), no hospital”.

12 1p. Page 8, line 23: after that line insert:

13 “**SECTION 14m.** 253.09 (4m) of the statutes is created to read:

14 253.09 (4m) Subsections (1r) (b) and (c), (2), and (3) do not apply to a physician
15 who refuses to participate in an activity specified in sub. (1r) (a) 1. to 8., or states an
16 intention to make such a refusal, unless the physician, as soon as practicable,
17 informs, orally or in writing, any patient of the physician who has a condition for
18 which the activity is relevant about the refusal, describes for each such patient the
19 activity that is the subject of the refusal, and makes a good faith attempt to transfer
20 or refer each such patient to another physician who does not refuse to participate in
21 the activity.”.

22 1q. Page 12, line 3: delete “~~No~~ A person” and substitute “~~No~~ Except as provided
23 in par. (au), a person”.”.

1 **4.** Page 2, line 21: delete “A person” and substitute “Except as provided in par.
2 (au), a person”.

3 **5.** Page 3, line 12: after that line insert:

4 “3g. Page 14, line 18: after that line insert:

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

6 448.03 **(5)** (au) Paragraphs (am) and (ao) do not apply to a physician who
7 refuses to participate in an activity specified in par. (am) 1. to 8., or states an
8 intention to make such a refusal, unless the physician, as soon as practicable,
9 informs, orally or in writing, any patient of the physician who has a condition for
10 which the activity is relevant about the refusal, describes for each such patient the
11 activity that is the subject of the refusal, and makes a good faith attempt to transfer
12 or refer each such patient to another physician who does not refuse to participate in
13 the activity.”.

14 3m. Page 16, line 24: delete “and (1r) (b),” and substitute “(1r) (b), and (2) (c),”.

15 3s. Page 16, line 25: before “and (5)” insert “(4m),”.

16 **6.** Page 3, line 13: delete that line and substitute:

17 “4m. Page 17, line 1: delete “(ao), and (ar)” and substitute “(an), (aq), (ar), and
18 (au)”.

19

(END)