



**ASSEMBLY AMENDMENT 1,
TO 2007 ASSEMBLY BILL 863**

March 4, 2008 – Offered by Representative NEWCOMER.

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

2 **1.** Page 6, line 14: delete lines 14 to 24.

3 **2.** Page 7, line 1: delete lines 1 to 7.

4 **3.** Page 7, line 7: after that line insert:

5 “**SECTION 18g.** 940.295 (3) (a) 3. of the statutes is amended to read:

6 940.295 (3) (a) 3. Abuses Except as provided in par. (am), abuses, with
7 negligence, or neglects a patient or a resident.

8 **SECTION 18n.** 940.295 (3) (am) of the statutes is created to read:

9 940.295 (3) (am) Paragraph (a) 3. does not apply to a health care provider
10 acting in the scope of his or her practice or employment who commits an act or
11 omission of mere inefficiency, unsatisfactory conduct, or failure in good performance
12 as the result of inability, incapacity, inadvertency, ordinary negligence, or good faith
13 error in judgment or discretion.”

