



# WISCONSIN CIVIL JUSTICE COUNCIL, INC.

*Promoting Fairness and Equity in Wisconsin's Civil Justice System*

## **WCJC Applauds Wisconsin Senate for Passing Medical Liability Reform Bill**

*Bill reverses Supreme Court decision on informed consent law*

**FOR IMMEDIATE RELEASE**

**Oct. 16, 2013**

### **Contact Information**

Bill G. Smith – (608) 255-6083

Andrew Cook – (608) 258-9506

Madison – The Wisconsin Senate on Tuesday passed important legislation protecting Wisconsin physicians from unnecessary and costly lawsuits. Passed on a bipartisan vote in the Senate, AB 139 overturns a Wisconsin Supreme Court decision and clarifies the proper standard for physicians when informing patients of alternate medical modes of treatment and about the benefits and risks of those treatments.

“The WCJC thanks the Wisconsin Senate for passing AB 139, which protects doctors from strict liability when treating patients,” said Bill G. Smith, President of the Wisconsin Civil Justice Council and Wisconsin Director for the National Federation of Independent Business.

“This legislation clarifies the law in light of a split Wisconsin Supreme Court decision and will help keep down health care costs. We encourage Governor Walker to sign the bill into law.” added Smith.

The decision that AB 139 addresses is *Jandre v. Wisconsin Injured Patients and Families Compensation Fund*. In *Jandre*, the Wisconsin Supreme Court issued a split (3-3-1) decision, with three justices applying an overly broad “reasonable patient” standard. Under AB 139, the new standard is a reasonable physician standard.

###

*The Wisconsin Civil Justice Council, Inc. (WCJC) was formed in 2009 to represent Wisconsin business interests on civil litigation legislation before the Wisconsin Legislature. WCJC's goal is to achieve fairness and equity within Wisconsin's judicial system, to reduce unnecessary litigation costs, and enhance state's image as a good place to live and work. Visit [www.wisciviljusticecouncil.org](http://www.wisciviljusticecouncil.org) for more information.*