

Wisconsin Hospital Association, Inc.



NEWS

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Hospitals Hail Senate Passage of Legislation Addressing the Supreme Court's *Jandre* Decision

MADISON (October 15, 2013)---- The Wisconsin Hospital Association praised the State Senate tonight for passing legislation that addresses the Wisconsin Supreme Court's *Jandre* decision.

"Left unaddressed, the provider community has been concerned that the *Jandre* decision would lead to increased health care costs related to the overutilization of tests and, because of those tests, unnecessary angst and increased potential risks for our patients. With this bill, Wisconsin hospitals and health systems can continue to provide high quality, efficient, outcome-focused care," said WHA Executive Vice President Eric Borgerding. "We want to thank members of the Senate who supported this crucial legislation and stood for high quality health care in Wisconsin."

The State Supreme Court's *Jandre* decision created an unclear standard for physicians to meet when obtaining patients' informed consent prior to providing treatment. Assembly Bill 139 addresses that by establishing a clear reasonable standard for physicians when providing patients with information about the risks and benefits of reasonable alternate treatment. The legislation also directly addresses the *Jandre* decision by making it clear that a negligent diagnosis claim is separate from an informed consent claim.

The bill now heads to the Assembly for concurrence.

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