



## Legislation Text

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**File #:** 000720, **Version:** 1

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000720  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Conrad, for payments made pursuant to the City's Basic Health Plan.

This substitute resolution authorizes cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Conrad, for payments made pursuant to the City's Basic Health Plan.

Whereas, The surviving spouse of Kathleen Conrad and the personal representative of the estate of Kathleen Conrad commenced a medical malpractice action against Ohio Hospital Insurance Company, the Wisconsin Patients Compensation Fund, and Columbia Hospital, Inc., seeking recovery for medical malpractice allegedly occurring in the administration of narcotic pain medication to Kathleen Conrad on January 13, 1997, which allegedly caused injuries and resulted in her ultimate death; and

Whereas, As a result of the injuries allegedly sustained as a result of the alleged malpractice, the City of Milwaukee has made payments on behalf of Kathleen Conrad for medical care and treatment pursuant to its Basic Health Plan in the amount of \$540,811.58; and

Whereas, The City has a subrogation claim against Kathleen Conrad as a result of such payments; and

Whereas, The personal representative of the estate of Kathleen Conrad has offered to settle this subrogation claim for \$135,452.89, and the difference between the original claim and the settlement is \$405,358.69; and

Whereas, This settlement reflects the legal liability of the parties and is a fair and equitable resolution of the City of Milwaukee's subrogation claim; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the subrogation claim of the City of Milwaukee against Kathleen Conrad arising out of medical treatment for injuries allegedly sustained as a result of the alleged medical malpractice occurring on January 13, 1997, is hereby cancelled in the amount of \$405,358.69, and the City Attorney is authorized and directed to enter into a release and settlement of said claim.

City Atty.  
EHT  
9/11/00  
33057

