

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 314

1 Page 1, lines 1 - 2:

2 Delete "**the crime of unsworn falsification**"

3 Insert "**civil damages**"

4

5 Page 1, lines 5 - 9:

6 Delete all material.

7

8 Page 1, line 10:

9 Delete "**Sec. 2**"

10 Insert "**Section 1**"

11

12 Renumber the following bill sections accordingly.

13

14 Page 2, lines 15 - 16:

15 Delete "usual, customary, and reasonable"

16

17 Page 2, lines 17 - 21:

18 Delete "include the most recent Current Procedural Terminology codes for both  
19 category I and category II medical treatment or other services published by the  
20 American Medical Association; notwithstanding AS 44.62.010 - 44.62.290, the board  
21 shall update the schedule annually by order"

22 Insert "be based on statistically credible data, including charges for the most  
23 recent category I, II, and III medical services maintained by the American Medical

1 Association and the Health Care Procedure Coding System for medical supplies,  
 2 injections, emergency transportation, and other medically related services, and must  
 3 result in a schedule that (i) reflects the cost in the geographical area where services are  
 4 provided; and (ii) is at the 90th percentile"

5  
 6 Page 2, line 26, through page 3, line 2:

7 Delete all material and insert:

8 **"\* Sec. 2.** AS 23.30.250(a) is amended to read:

9 (a) A person who (1) knowingly makes a false or misleading statement,  
 10 representation, or submission related to a benefit under this chapter; (2) knowingly  
 11 assists, abets, solicits, or conspires in making a false or misleading submission  
 12 affecting the payment, coverage, or other benefit under this chapter; (3) knowingly  
 13 misclassifies employees or engages in deceptive leasing practices for the purpose of  
 14 evading full payment of workers' compensation insurance premiums; or (4) employs  
 15 or contracts with a person or firm to coerce or encourage an individual to file a  
 16 fraudulent compensation claim is **guilty of workers' compensation fraud, which**  
 17 **may be punished under AS 11.46.120 - 11.46.150, and may also be guilty of**  
 18 **perjury and related offenses under AS 11.56.200 - 11.56.230** [CIVILLY LIABLE  
 19 TO A PERSON ADVERSELY AFFECTED BY THE CONDUCT, IS GUILTY OF  
 20 THEFT BY DECEPTION AS DEFINED IN AS 11.46.180, AND MAY BE  
 21 PUNISHED AS PROVIDED BY AS 11.46.120 - 11.46.150].

22 **\* Sec. 3.** AS 23.30.250(c) is repealed and reenacted to read:

23 (c) In addition to criminal penalties under this section, a person who violates  
 24 this chapter is liable in a civil action brought by or on behalf of a person who suffers  
 25 economic damages as a result of the violation for an award of three times the amount  
 26 of compensatory damages resulting from the violation, subject to adjustment under  
 27 AS 09.17, and an award of reasonable attorney fees."

28  
 29 Renumber the following bill sections accordingly.

30  
 31 Page 3, line 19:

- 1 Delete all material.
- 2
- 3 Renumber the following bill section accordingly.