

HOUSE BILL NO. 159

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KELLER

Introduced: 3/23/15

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting certain health care agreements from regulation as insurance."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 21.03.021 is amended by adding new subsections to read:

4 (k) Notwithstanding another provision of this title to the contrary, this title
5 does not apply to the solicitation, negotiation, formation, terms, or other action or
6 matter relating to an agreement that

7 (1) is a contract between a health care provider and an individual
8 patient or the patient's representative in which the health care provider agrees to
9 provide routine health care services to the individual patient for a fee during a specific
10 period;

11 (2) is in writing;

12 (3) is signed by the health care provider or the agent of the health care
13 provider and by the individual patient or the representative of the individual patient;

14 (4) allows the health care provider or the individual patient to terminate
15 the agreement by giving written notice to the other party to the agreement;

1 (5) describes the specific routine health care services that the agreement
2 covers;

3 (6) specifies the fee to be paid by the individual patient under the
4 agreement;

5 (7) specifies the period during which the agreement applies;

6 (8) prominently states in writing that the agreement is not health
7 insurance; and

8 (9) prohibits the health care provider, but not the individual patient,
9 from billing an insurer or other person for the services provided under the agreement.

10 (l) In (k) of this section,

11 (1) "health care" means care, treatment, service, or procedure to
12 maintain, diagnose, detect, manage, or promote an individual's physical or mental
13 condition;

14 (2) "health care provider" means a person who is licensed, registered,
15 or otherwise authorized under AS 08 to provide health care services or an individual
16 who is an employee of the person and acting within the course and scope of
17 employment;

18 (3) "routine health care services" includes

19 (A) screening, assessment, diagnosis, and treatment for the
20 purpose of promoting health or the detection and management of disease or
21 injury;

22 (B) the dispensing of medical supplies and prescription drugs
23 from a health care provider's office or facility;

24 (C) laboratory work, including routine blood screening or
25 routine pathology screening, performed by a laboratory that

26 (i) is associated with the health care provider that is a
27 party to the agreement described in (k) of this section; or

28 (ii) if not associated with the health care provider that is
29 a party to the agreement described in (k) of this section, has entered
30 into an agreement with the health care provider that is a party to the
31 agreement described in (k) of this section to provide the laboratory

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work without charging a fee to the patient for the laboratory work.