



## SENATOR JESSE KIEHL

### **SB 229: Consultation Liability Sectional Analysis**

#### **Sec. 1 of the bill creates a new section in AS 09.55:**

**Sec. 09.55.552(a):** Consulting physicians, osteopaths, and podiatrists are not liable for providing a consultation if they meet the following requirements:

- (1) The patient is not a patient of the consulting doctor.
- (2) The consulting doctor did not examine or treat the patient.
- (3) The consulting doctor was not paid.
- (4) The consulting doctor does not work with or for the primary doctor.
- (5) The consulting doctor is not a temporary member of the primary doctor's practice.
- (6) The consulting doctor is not on call.
- (7) The consulting doctor is not required to provide care under the Emergency Medical Treatment & Active Labor Act.
- (8) The consulting doctor did not write a report.

**Sec. 09.55.552(b):** The primary doctor cannot use the consulting doctor's advice to reduce his or her own liability in a medical malpractice case.

**Sec. 09.55.552(c):** Defines "consulting physician, podiatrist, or osteopath" as a medical doctor, doctor of osteopathy, or podiatrist licensed under AS 08.64.