



HB 311 – Extend Disaster; Public Health Emergency

Sectional Analysis

Section 1 (page 1 – 3) Legislative Findings

- Legislative findings about COVID-19 establishing the need for an extension of Governor Dunleavy's March 11, 2020 public health disaster declaration.

Section 2 (page 3) Dept. of Commerce Community and Economic Development (DCCED) – Div. of Insurance

- Amends AS 21.06.080(d) under Title 21 (Insurance), to allow the division of insurance director's authority, during a catastrophe, to be valid for up to one year after the Governor of Alaska or the President of the United States issues a disaster declaration. AS 21.06.080 allows the director during times of emergency to extend provisions to the regulation of insurance, such as by requiring that no insurance policy be cancelled during the catastrophe, or by waiving late fees and cost-sharing reductions. The current statute only allows for this up to six months. The amended language will extend this to one year after state or federal declaration has been declared.

Section 3 (page 3 – 4) Extension of Public Health Emergency; Extension of Disaster

- Extends the public health disaster emergency under AS 26.23.020(c) until March 12, 2021. When there is no longer an imminent threat, as certified by the commissioner of the Department of Health and Social Services (DHSS), the governor shall issue a proclamation ending the disaster emergency.

Section 4 (page 4) DHSS – Chief Medical Officer Standing Orders

- Allows the DHSS chief medical officer to issue standing orders related to COVID-19. Standing orders are effective until retracted or the emergency declaration extension ends. The chief medical officer and health care providers are not liable for civil damages for issuing or acting under a standing order, except for misconduct.

Section 5 (page 4 – 5) Governor – Monthly Reports

- The governor must submit a monthly report to the legislature beginning May 1, 2020 identifying all actions taken the administration related to the prevention, control and status of COVID-19.

Section 6 (page 5) DCCED – Div. of Corporations, Business and Professional Licensing

- Allows the division of corporations, business, and professional licensing director or relevant board to grant a license, permit, or certificate on an expedited basis to an individual who holds a corresponding license in another jurisdiction during the

public health disaster emergency. This section allows the board, commission, or director (as applicable) to take additional action necessary to protect public health, safety, and welfare, including but not limited to: temporarily waiving or modifying the continuing education requirements during a 2020 renewal period; regulating the scope and duration of any license; and requiring any individual granted a license under this section to arrange and agree to supervision by an licensee or licensed facility in good standing for the applicable profession.

**Section 7 (page 6 – 7) DCCED – Div. of Corporations, Business and Professional Licensing
- Telemedicine and Telehealth**

- Provides that during the emergency declaration, licensure in Alaska is not required for health care providers who are providing treatment, rendering a diagnosis, or prescribing, dispensing, or administering a prescription (that is not a controlled substance) and do not first conduct an in-person physical exam, if: the provider is licensed in good standing in another jurisdiction; health care services provided are within the practitioner’s authorized scope of practice in their license jurisdiction; health care services provided are limited to screening for, diagnosing, or treating COVID-19. If a health care provider determines an encounter will extend beyond the scope of practice/services provided for in this section, the provider must advise the patient they will need to contact another health care provider in the state. The amount charged for services under this section must be reasonable and consistent with ordinary fees; and fees cannot be charged if an encounter is terminated under (a)(4) of the section. Allows the DHSS commissioner to waive any state law or regulation if compliance would substantially prevent or impede the provision of health care services under this section.

Section 8 (page 7) – DCCED – Board of Nursing

- Allows the Department of Commerce, Community, and Economic Development to coordinate with the Departments of Health and Social Services and Public Safety to expedite the process for submitting fingerprints for nursing license applicants.

Section 9 (page 7) – Lt. Governor – Division of Elections

- Provides that the Lt. Governor may, after consultation with the commissioner of DHSS, direct that a primary or general election to be held in the state in 2020, be held in the same manner as an election by mail.

Section 10 (page 7) – Dept. of Revenue – Division of Permanent Fund Dividend Division

- Provides that the application period for the 2020 permanent fund dividend is extended to June 30, 2020 and that those applications received after March 31 are exempt from automatic voter registration.

Section 11 (page 7 – 8) – Dept. of Revenue – Tax Division

- Provides an extension to July 15, 2020 for certain tax returns, reports or payments that would be due to the department of revenue on April 15, 2020. The Department of Revenue will not assess a penalty or fine if an individual chooses to file under the extension.

Section 12 (page 8) DCCED – Div. of Corporations, Business and Professional Licensing - Shareholders Meetings by Electronic Communication

- Allows for meetings of shareholders to be held by electronic communication (to the extent allowed by the corporation's board); and allows corporations that have or are planning to distribute a proxy statement and notice of annual meetings to re-notice or notice so that it can be held via electronic communication.

Section 13 (page 8) Repeal of Shareholder Meetings by Electronic Communication

- Repeals Section 12 of the Act on March 12, 2021

Section 14 (page 8) Retroactivity Clause

- The Act is retroactive to April 10, 2020 if signed into law after that date.

Section 15 (page 9) Effective Date

- Provides for an immediate effective date.