

CS FOR SENATE BILL NO. 14(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/7/97

Referred: Rules

Sponsor(s): SENATORS DONLEY, Ellis, Pearce, Duncan, Taylor, Mackie, Kelly

REPRESENTATIVES Masek, Rokeberg, Elton, Croft, Dyson, Kemplen

A BILL

FOR AN ACT ENTITLED

**1 "An Act relating to insurance covering an insured who is a victim of domestic
2 violence and requiring certain disclosures by an insurer."**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 21.36 is amended by adding new sections to read:

5 Sec. 21.36.430. Insurance for domestic violence victims; records. (a) An
**6 insurer offering insurance in this state may not (1) refuse to issue or renew insurance
7 coverage; (2) cancel an existing policy of insurance; (3) deny a covered claim; or (4)
8 increase the premium on an insurance policy if the refusal, cancellation, denial, or
9 increase results only from the fact that the person was a victim of domestic violence.**

**10 (b) The provisions of (a) of this section may not prevent an insurer from
11 underwriting or rating**

**12 (1) for a medical condition, including a medical condition resulting
13 from domestic violence, in the same manner as it would for a person who is not a
14 victim of domestic violence; or**

(2) a person based on known frequency of losses in the same manner the insurer would for a person who is not a victim of domestic violence.

Sec. 21.36.440. Required disclosure for failure to provide coverage to an applicant. An insurer who refuses to provide insurance coverage to an applicant initially applying for insurance shall

(1) inform the applicant that the applicant has a right to know the reason for the refusal; and

(2) upon receipt of a written request from the applicant, provide a written explanation of the refusal to the applicant.

Sec. 21.36.450. Definition. In AS 21.36.430 - 21.36.440, "insurer" includes

(1) an insurer, as defined in AS 21.90.900;

(2) a group health plan, as defined in 29 U.S.C. 1167(1) (Employee Retirement Income Security Act of 1974);

(3) a health maintenance organization, as defined in AS 21.86.900;

(4) a hospital service corporation or medical service corporation, as defined in AS 21.87.330;

(5) the Comprehensive Health Insurance Association, established in AS 21.55.010; and

(6) an entity offering a service benefit plan, as referred to in 42 U.S.C. 1396g-1.

* **Sec. 2.** This Act applies to a policy of insurance that is entered into or renewed on or after the effective date of this Act.