

# Fiscal Note

State of Alaska  
2020 Legislative Session

Bill Version: SB 229  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB229-LAW-CIV-3-6-20  
Title: LIABILITY OF CONSULTING PHYSICIANS  
Sponsor: KIEHL  
Requester: (S) Health & Social Services

Department: Department of Law  
Appropriation: Civil Division  
Allocation: Torts & Workers' Compensation  
OMB Component Number: 2719

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2021 Appropriation Requested	Included in Governor's FY2021 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2021	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Fund Source (Operating Only)

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2020) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2021) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** No  
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

## Why this fiscal note differs from previous version/comments:

Not applicable. Initial version.

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Agency: Office of Management and Budget

Phone: (907)465-1042  
Date: 03/06/2020  
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## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2020 LEGISLATIVE SESSION

BILL NO. SB 229

### Analysis

SB 229 would provide complete immunity from all civil liability for certain medical professionals who provide free, verbal consultations on patients to other medical professionals under limited circumstances. The professionals covered by this provision would be limited to physicians, podiatrists, and osteopaths licensed in the state under AS 08.64.170 – 08.64.250.

The immunity provision only applies if certain conditions are met. The patient receiving the consultation may not be a current or former patient of the professional or the professional's practice. The consulting professional may not have examined or treated the patient, or received any compensation for the consultation. The consulting professional may not be a subordinate, supervisor, or temporarily managing the practice of the professional who requested the consultation. The consulting professional may not have provided the consultation while on call or when required to provide services under the federal Emergency Medical Treatment and Active Labor Act, 42 U.S.C. 1395dd. Finally, the provision would not apply if the consulting professional prepared a written report as a result of the consultation.

This provision would not allow a court to reduce the civil liability of the medical professional requesting the consultation, or any damages awarded against them, based on an assertion that the consulting professional is liable. There would be no allocation of fault between the requesting medical professional and the consulting medical professional.

The Department of Law does not anticipate any fiscal impact if this bill becomes law.