

Fiscal Note

State of Alaska
2021 Legislative Session

Bill Version:	CSSB 65(HSS)
Fiscal Note Number:	1
(S) Publish Date:	2/19/2021

Identifier: SB065-LAW-CIV-TWC-2-12-21
Title: LIABILITY CONSULTING HEALTH CARE PROVIDER
Sponsor: KIEHL
Requester: (S) Health and Social Services

Department: Department of Law
Appropriation: Civil Division Except Contracts Relating to Interpretation of Janus v AFSCME
Allocation: Torts & Workers' Compensation
OMB Component Number: 2719

Expenditures/Revenues

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

(Thousands of Dollars)

	FY2022 Appropriation Requested	Included in Governor's FY2022 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2021) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2022) 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If yes, by what date are the regulations to be adopted, amended or repealed?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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Phone: (907)465-3674
Date: 02/12/2021
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2021 LEGISLATIVE SESSION**Analysis**

This bill adds a new provision to AS 09.55, providing civil immunity to certain consulting health care providers for claims arising from professional services. This provision only applies if the patient is not and has never been a patient of the consulting health care provider. Immunity may apply if the provider does not examine or treat the patient, is not compensated, is not a subordinate or supervisor of the health care provider requesting the consultation or managing that provider's practice, is not on call at the healthcare facility in which the patient is being treated, has not accepted responsibility to be on call for the patient, is not required to provide medical services under the Emergency Medical Treatment and Active Labor Act at the time of the consultation, and does not prepare a written report as a result of the consultation.

When this provision applies, a court may not reduce the civil liability of, or damages awarded against, the health care provider who requested the consultation on the grounds that the consulting health care physician should be held liable.

This section includes a definition for "health care facility" and "health care provider" for the purpose of applying the immunity provision.

The Department of Law does not anticipate a fiscal impact from this legislation.