

20 February 2023

FROM: Brian Webb – Invited Testimony for HB 57 on 17 Feb 23 in House L&C Committee

TO: House Labor & Commerce Committee

SUBJECT: Response to questions posed by Committee Member

I had the opportunity to provide professional testimony for HB 57 and there was a question posed by a committee member which requires an update and clarification:

1. The question posed was: Is there malpractice insurance available for the EMS Medical Directors?
 - a. Yes, there is, as a separate policy beyond their main insurance.
 - b. Those additional riders are at an exceptionally high rate should a medical director choose to purchase it.

2. Clarification:
 - a. HB 57 is proposed legislation which is designed to protect EMS quality assurance committees from discovery and testimony.
 - b. Within AS 18.23, there are no provisions regarding malpractice insurance. This statute is for the protections of patient care review committees.
 - c. This proposed legislation is “system wide” protections for EMS services in Alaska, not individual protections for medical directors.
 - i. Much of my testimony dealt with impacts to medical directors, especially our volunteer EMS medical directors, who receive no compensation for their EMS service oversight.
 1. This mention of medical directors was to specifically highlight the challenges which AK EMS services experience with retaining medical directors, and how this proposed legislation is one step in the process of retention.
 2. So, the legislation’s “system wide” protections do include the EMS medical directors.

18.23.030 is specific for the Confidentiality of Records of Review Organizations. The issue of malpractice insurance and indemnification for AK EMS medical directors, especially pertaining to our volunteer medical directors, is a crucial issue for EMS in Alaska. However, it cannot be part of the discussion for HB 57, as they are separate issues entirely in statute. Alaska EMS would at a future time, be highly interested in discussing state indemnification of our EMS Medical Directors, especially our volunteer EMS medical directors, as a means to retain the physicians that are required for EMS services to exist in Alaska.

If there are further questions, I would be happy to entertain them at a future committee hearing.

Best regards,

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