

**HOUSE CS FOR CS FOR SENATE BILL NO. 197(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/28/96

Referred: Rules

Sponsor(s): SENATORS DONLEY, Ellis, Salo, Duncan, Pearce, Zharoff, Lincoln

REPRESENTATIVES Davies, Robinson, Rokeberg, Nicholia, Masek, B.Davis

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

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

1           Sec. 21.36.440. REQUIRED DISCLOSURE FOR FAILURE TO PROVIDE  
2 COVERAGE TO AN APPLICANT. An insurer who refuses to provide insurance  
3 coverage to an applicant initially applying for insurance shall

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

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

8           Sec. 21.36.450. DEFINITION. In AS 21.36.430 - 21.36.440, "insurer"  
9 includes

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

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

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

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

16                   (5) a writing carrier, as defined in AS 21.55.500; and

17                   (6) an entity offering a service benefit plan, as referred to in 42 U.S.C.  
18 1396g-1.

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