

CS FOR SENATE BILL NO. 197(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 2/23/96

Referred: Rules

Sponsor(s): SENATORS DONLEY, Ellis, Salo, Duncan

REPRESENTATIVES Davies, Robinson

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 may not (1) refuse to issue or renew insurance coverage;
7 (2) cancel an existing policy of insurance; (3) deny a covered claim; or (4) increase
8 the premium on an insurance policy if the refusal, cancellation, denial, or increase
9 results only from the fact that the applicant or insured was a victim of domestic
10 violence.

11 (b) Records maintained by an insurer that reflect the fact that the insured was
12 a victim of domestic violence are confidential and may not be disclosed by an insurer,
13 except with the permission of the applicant or the insured or as required by a court of
14 competent jurisdiction.

1 Sec. 21.36.440. REQUIRED DISCLOSURE. An insurer who refuses to
2 provide insurance coverage to an applicant or insured, or who cancels existing
3 coverage shall provide a written explanation of the refusal or cancellation to the
4 applicant or insured.

5 Sec. 21.36.450. DEFINITION. In AS 21.36.430 - 21.36.440, "insurer"
6 includes

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

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

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

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

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

14 (6) an entity offering a service benefit plan, as referred to in 42 U.S.C.
15 1396g-1.

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