

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

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/12/96  
Referred: Finance

Sponsor(s): SENATORS DONLEY, Ellis, Salo, Duncan, Pearce, Zharoff, Lincoln  
REPRESENTATIVES Davies, Robinson, Rokeberg

**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) 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 an insured or applicant  
14 who is not a 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.