

HOUSE BILL NO. 39

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ELTON

Introduced: 1/13/97

Referred: Health, Education and Social Services, Labor and Commerce, Finance

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

10 (b) The provisions of (a) of this section may not prevent an insurer from
11 underwriting or rating for a medical condition, including a medical condition resulting
12 from domestic violence, in the same manner as it would for a person who is not a
13 victim of domestic violence.

14 **Sec. 21.36.440. Required disclosure for failure to provide coverage to an**

1 **applicant.** An insurer who refuses to provide insurance coverage to an applicant
2 initially applying for insurance shall

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

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

7 **Sec. 21.36.450. Definition.** In AS 21.36.430 - 21.36.440, "insurer" includes

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

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

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

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

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

15 (6) an entity offering a service benefit plan, as referred to in 42 U.S.C.
16 1396g-1.

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