

HOUSE BILL NO. 300

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES BUNDE, James

Introduced: 1/12/98

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

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to health insurance; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 21.42 is amended by adding a new section to read:

4 **Sec 21.42.390. Required health insurance coverage provisions.** (a) A
5 health care insurer may not include in the health care insurance plan or contract a
6 provision that

7 (1) prohibits a covered person from obtaining health care services from
8 a health care provider of the person's choice, including a specialist;

9 (2) restricts a covered person's right to receive full information from
10 the person's health care provider regarding the care or treatment options that the health
11 care provider believes are in the best interests of the person.

12 (b) A health care insurance plan or subscriber contract that allows the health
13 care insurer to review a treatment plan or conduct a utilization review must contain a
14 provision that a treatment plan review or utilization review for a covered person
15 receiving treatment in this state must be conducted by a health care provider who is

1 licensed to practice in this state.

2 (c) A health care insurer may not

3 (1) directly or indirectly reimburse a covered person at a different rate
4 because of the person's choice of provider;

5 (2) deny coverage, cancel a health care insurance plan or subscriber
6 contract, or otherwise take action against a covered person or a health care provider
7 because the person has asserted a right described under this section.

8 (d) A covered person may bring a civil action against a health care insurer to
9 enforce the person's rights under this section.

10 (e) In this section,

11 (1) "health care provider" means a person licensed in this state to
12 provide health care services;

13 (2) "health care services" means treatment of an individual for an
14 injury, illness, or disability and includes preventative treatment of an injury or illness.

15 * **Sec. 2.** This Act takes effect July 1, 1998.