

CS FOR HOUSE BILL NO. 300(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/25/98

Referred: Labor and Commerce

Sponsor(s): REPRESENTATIVES BUNDE, James, Rokeberg

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to patients' rights under health insurance; relating to review of**
2 **health insurance treatment plans; prohibiting certain health insurance practices."**

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

4 * **Section 1.** SHORT TITLE. This Act may be known as the Alaska Patients' Bill of
5 Rights.

6 * **Sec. 2.** AS 21.42 is amended by adding a new section to read:

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

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

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

1 (b) A health care insurer may not deny, reduce, or terminate health care
2 benefits for a covered person unless the denial, reduction, or termination is approved
3 by a physician who is licensed to practice in the United States.

4 (c) A health care insurer may not
5 (1) directly or indirectly reimburse a covered person at a different rate
6 because of the person's choice of provider;

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

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

12 (e) In this section,

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

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