

**CS FOR SENATE BILL NO. 122(L&C)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/9/97

Referred: Health, Education and Social Services

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to unfair discrimination under a group health insurance policy  
2 for services provided by marital and family therapists; and providing for an  
3 effective date."

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

5 \* **Section 1.** AS 21.36.090(d) is amended to read:

6 (d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56,  
7 a person may not practice or permit unfair discrimination against a person who  
8 provides a service covered under a group health insurance policy that extends coverage  
9 on an expense incurred basis, or under a group service or indemnity type contract  
10 issued by a nonprofit corporation, if the service is within the scope of the provider's  
11 occupational license. In this subsection,

12 (1) "provider" means a state licensed physician, dentist, osteopath,  
13 optometrist, chiropractor, nurse midwife, advanced nurse practitioner, naturopath,  
14 physical therapist, occupational therapist, **marital and family therapist**, psychologist,

1 psychological associate, or licensed clinical social worker, or certified direct-entry  
2 midwife;

3 **(2) "unfair discrimination" does not include requirements imposed**  
4 **by an insurer for purposes of utilization review, cost containment, or standards**  
5 **of clinically appropriate health care services.**

6 \* **Sec. 2.** Section 4, ch. 39, SLA 1993, is repealed and reenacted to read:

7 (d) Except to the extent necessary to comply with AS 21.42.365, a person may  
8 not practice or permit unfair discrimination against a person who provides a service  
9 covered under a group health policy that extends coverage on an expense incurred  
10 basis, or under a group service or indemnity type contract issued by a nonprofit  
11 corporation, if the service is within the scope of the provider's occupational license.

12 In this subsection,

13 (1) "provider" means a state licensed physician, dentist, osteopath,  
14 optometrist, chiropractor, nurse midwife, advanced nurse practitioner, naturopath,  
15 physical therapist, occupational therapist, marital and family therapist, psychologist,  
16 psychological associate, or licensed clinical social worker, or certified direct-entry  
17 midwife;

18 (2) "unfair discrimination" does not include requirements imposed by  
19 an insurer for purposes of utilization review, cost containment, or standards of  
20 clinically appropriate health care services.

21 \* **Sec. 3.** This Act applies to a policy of insurance issued or renewed on or after the  
22 effective date of this Act.

23 \* **Sec. 4.** This Act takes effect July 1, 1997.