

SENATE BILL NO. 265

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATORS OLSON, Leman, Wilken

Introduced: 1/30/02

Referred: Transportation, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to physician assistants; providing that a physician assistant is a health**
2 **care provider covered by certain laws relating to medical malpractice actions; adding**
3 **physician assistants to the list of providers against whom unfair discrimination relating**
4 **to health care insurance is prohibited and to the list of providers who can provide proof**
5 **of disablement or handicap for the purpose of obtaining a special parking permit; and**
6 **providing for an effective date."**

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

8 *** Section 1.** AS 09.55.560(1) is amended to read:

9 (1) "health care provider" means an acupuncturist licensed under
10 AS 08.06; an audiologist or speech-language pathologist licensed under AS 08.11; a
11 chiropractor licensed under AS 08.20; a dental hygienist licensed under AS 08.32; a
12 dentist licensed under AS 08.36; a nurse licensed under AS 08.68; a dispensing
13 optician licensed under AS 08.71; a naturopath licensed under AS 08.45; an

1 optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a
 2 physical therapist or occupational therapist licensed under AS 08.84; a physician **or**
 3 **physician assistant** licensed under AS 08.64; a podiatrist; a psychologist and a
 4 psychological associate licensed under AS 08.86; a hospital as defined in
 5 AS 18.20.130, including a governmentally owned or operated hospital; an employee
 6 of a health care provider acting within the course and scope of employment; an
 7 ambulatory surgical facility and other organizations whose primary purpose is the
 8 delivery of health care, including a health maintenance organization, individual
 9 practice association, integrated delivery system, preferred provider organization or
 10 arrangement, and a physical hospital organization;

11 * **Sec. 2.** AS 21.36.090(d) is amended to read:

12 (d) Except to the extent necessary to comply with AS 21.42.365 and
 13 AS 21.56, a person may not practice or permit unfair discrimination against a person
 14 who provides a service covered under a group health insurance policy that extends
 15 coverage on an expense incurred basis, or under a group service or indemnity type
 16 contract issued by a health maintenance organization or a nonprofit corporation, if the
 17 service is within the scope of the provider's occupational license. In this subsection,
 18 "provider" means a state licensed physician, **physician assistant**, dentist, osteopath,
 19 optometrist, chiropractor, nurse midwife, advanced nurse practitioner, naturopath,
 20 physical therapist, occupational therapist, marital and family therapist, psychologist,
 21 psychological associate, [OR] licensed clinical social worker, or certified direct-entry
 22 midwife.

23 * **Sec. 3.** AS 28.10.495(c) is amended to read:

24 (c) Proof of disablement or medical handicap, for the purpose of this section,
 25 shall be the same as that required for the purposes of AS 28.10.181(d) **except that, for**
 26 **purposes of this section, the proof may be provided by a person licensed as a**
 27 **physician or physician assistant under AS 08.64 or by a person licensed as an**
 28 **advanced nurse practitioner under AS 08.68.**

29 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 30 read:

31 **APPLICABILITY.** AS 21.36.090(d), as amended by sec. 2 of this Act, applies to a

1 policy of insurance or group service or indemnity type contract issued or renewed on or after
2 January 1, 2003.

3 * **Sec. 5.** Sections 2 and 4 of this Act take effect January 1, 2003.