

CS FOR SENATE BILL NO. 265(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered: 2/20/02

Referred: Labor and Commerce

Sponsor(s): SENATORS OLSON, Leman, Wilken

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 motor vehicle registration or for the**
6 **purpose of obtaining a special license plate or a special parking permit; and providing**
7 **for an effective date."**

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

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

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

1 optician licensed under AS 08.71; a naturopath licensed under AS 08.45; an
 2 optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a
 3 physical therapist or occupational therapist licensed under AS 08.84; a physician **or**
 4 **physician assistant** licensed under AS 08.64; a podiatrist; a psychologist and a
 5 psychological associate licensed under AS 08.86; a hospital as defined in
 6 AS 18.20.130, including a governmentally owned or operated hospital; an employee
 7 of a health care provider acting within the course and scope of employment; an
 8 ambulatory surgical facility and other organizations whose primary purpose is the
 9 delivery of health care, including a health maintenance organization, individual
 10 practice association, integrated delivery system, preferred provider organization or
 11 arrangement, and a physical hospital organization;

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

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

24 * **Sec. 3.** AS 28.10.181(d) is amended to read:

25 (d) Vehicles owned by disabled veterans, including persons disabled in the
 26 line of duty while serving in the Alaska Territorial Guard, or other persons with
 27 disabilities. Upon the request of a person with a disability that limits or impairs the
 28 ability to walk, as defined in 23 C.F.R. 1235.2, the department shall (1) register one
 29 passenger vehicle in the name of the person without charge; and (2) issue a specially
 30 designed registration plate that displays (A) recognition of the disabled veteran if the
 31 applicant's disability originated from the applicant's service with the Alaska Territorial

1 Guard or the armed forces of the United States; and (B) the standard symbol of
2 disability (the wheelchair logo). A disabled veteran who is not otherwise qualified
3 under this subsection, but who presents to the department written proof that the person
4 is at least 70 percent disabled or medically handicapped as a consequence of service in
5 the Alaska Territorial Guard or the armed forces of the United States, may register one
6 passenger vehicle without charge, and the department shall issue a specially designed
7 registration plate that displays recognition of the disabled veteran that does not display
8 the standard handicap symbol and does not carry with it special parking privileges.
9 For purposes of this subsection, proof of disability may be provided by a person
10 licensed as a physician or physician assistant under AS 08.64 or as an advanced
11 nurse practitioner under AS 08.68.

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

14 APPLICABILITY. AS 21.36.090(d), as amended by sec. 2 of this Act, applies to a
15 policy of insurance or group service or indemnity type contract issued or renewed on or after
16 January 1, 2003.

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