

SENATE BILL NO. 299

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY SENATOR SEEKINS

Introduced: 2/14/06

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

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to preventing unfair discrimination against a health care provider who**
2 **is willing to meet a health insurer's terms and conditions for participation in the**
3 **insurer's plan, policy, or contract for health care services; amending the definition of**
4 **'provider' as it relates to authorized collective negotiations by physicians affecting the**
5 **rights of providers under health benefit plans; and providing for an effective date."**

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

7 *** Section 1.** AS 21.36.090(d) is repealed and reenacted to read:

8 (d) A health insurer may not discriminate against a health care provider who is
9 located in the geographic coverage area of a health benefit plan if the health care
10 provider is willing to meet the terms and conditions for participation established by the
11 health insurer. This subsection applies to a health benefit plan that affects the rights of
12 an Alaska insured. This subsection does not affect different reimbursements to
13 different types of health care providers, nor does it affect coverage for the service of a

1 particular type of health care provider. In this subsection,

2 (1) "health benefit plan"

3 (A) means a health insurance policy or certificate, health
4 maintenance organization contract, hospital or medical service corporation
5 contract or certificate, self-insurance plan, plan provided by a multiple
6 employer welfare arrangement, or group health insurance policy to the extent
7 permitted by 29 U.S.C. 1001 - 1461 (Employee Retirement Income Security
8 Act);

9 (B) does not include insurance under AS 23.30 (Alaska
10 Workers' Compensation Act);

11 (2) "health care provider" means a state licensed, certified, or
12 otherwise authorized

- 13 (A) physician;
14 (B) podiatrist;
15 (C) chiropractor;
16 (D) physical therapist;
17 (E) speech pathologist;
18 (F) audiologist;
19 (G) dentist;
20 (H) optometrist;
21 (I) hospital;
22 (J) hospital-based service;
23 (K) psychologist;
24 (L) counselor;
25 (M) respiratory therapist;
26 (N) pharmacist;
27 (O) occupational therapist;
28 (P) long-term care facility;
29 (Q) home health care provider;
30 (R) hospice care provider;
31 (S) ambulatory surgery center;

- 1 (T) rural health clinic;
 2 (U) social worker;
 3 (V) psychological examiner;
 4 (W) advance practice nurse;
 5 (X) dietitian or nutritionist;
 6 (Y) community mental health center or clinic; or
 7 (Z) prosthetist;

8 (3) "health insurer" means an entity that is authorized by the state to
 9 offer or provide health benefit plans, policies, subscriber contracts, or similar contracts
 10 that indemnify or compensate health care providers for providing health care services.

11 * **Sec. 2.** AS 23.50.020(o)(2) is amended to read:

12 (2) "provider" **means a state licensed physician, physician assistant,**
 13 **dentist, osteopath, optometrist, chiropractor, nurse midwife, advanced nurse**
 14 **practitioner, naturopath, physical therapist, occupational therapist, marital and**
 15 **family therapist, psychologist, psychological associate, licensed clinical social**
 16 **worker, or certified direct-entry midwife** [HAS THE MEANING GIVEN IN
 17 AS 21.36.090(d)].

18 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).