

CS FOR HOUSE BILL NO. 423(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 4/9/10

Referred: Judiciary, Finance

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act stating a public policy that allows a person to choose or decline any mode of**
2 **securing health care services."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 **SHORT TITLE.** This Act may be known as the Alaska Health Freedom Act.

7 * **Sec. 2.** AS 44.99 is amended by adding a new section to article 2 to read:

8 **Sec. 44.99.130. Declaration of policy for securing health care services.** (a) It
9 is the policy of the State of Alaska that a person has the right to and may choose or
10 decline any mode of obtaining health care services without penalty or threat of
11 penalty.

12 (b) The policy stated in (a) of this section

13 (1) does not apply to health care services provided or required by the
14 state, a political subdivision of the state, or a court of the state; and

1 (2) may not impair a contract right that provides health care services.

2 (c) In this section,

3 (1) "health care services" means a service or treatment, or provision of
4 a product, for the care of a physical or mental disease, illness, injury, defect, or
5 condition, or to maintain or improve physical or mental health;

6 (2) "mode of obtaining" means directly purchasing health care services
7 from a health care provider purchasing insurance covering health care services;

8 (3) "penalty" means a fine, tax, surcharge, fee, or other monetary
9 charge.