

**CS FOR HOUSE BILL NO. 1(HSS)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 3/16/11

Referred: Judiciary

Sponsor(s): REPRESENTATIVES GATTO AND LYNN, Peggy Wilson

**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 choose or decline any  
10 mode of obtaining health care services without penalty or threat of penalty.

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

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

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

1 (c) In this section,

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

5 (2) "mode of obtaining" means directly purchasing health care services  
6 from a health care provider or purchasing insurance to cover the cost of health care  
7 services;

8 (3) "penalty" means a fine, tax, surcharge, fee, or other monetary  
9 charge; however, liability for the cost of health care services is not a penalty.