

HOUSE BILL NO. 203

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KELLER BY REQUEST

Introduced: 4/10/13

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to payment or reimbursement of health care insurance claims."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 21.54.020(a) is amended to read:

4 (a) A [ON THE WRITTEN REQUEST OF A COVERED PERSON, A]
5 health care insurer shall pay amounts due under a health insurance policy for covered
6 services rendered by an out-of-network provider by check made out to both the
7 provider and the covered person as joint payees requiring endorsement by both
8 the provider and the covered person [DIRECTLY TO THE PROVIDER OF
9 MEDICAL CARE SERVICES]. A health insurance policy may not contain a
10 provision that requires services be provided by a particular hospital or person, except
11 as applicable to a health maintenance organization under AS 21.86. A health care
12 insurer shall reimburse the covered person for payments made by the covered
13 person to the provider if the covered person provides, as part of the claim, clear
14 and convincing evidence that the covered person has paid the provider for the
15 covered services. Nothing in this subsection precludes a health care insurer from

1 **voluntarily making payment to an out-of-network provider in the single name of**
2 **the provider.** [IF A HEALTH CARE INSURER MAKES A CLAIM PAYMENT TO
3 THE COVERED PERSON AFTER THE COVERED PERSON HAS GIVEN
4 WRITTEN NOTICE ELECTING DIRECT PAYMENT TO THE PROVIDER OF
5 THE SERVICE, THE HEALTH CARE INSURER SHALL ALSO PAY THAT
6 AMOUNT TO THE PROVIDER OF THE SERVICE.]

7 * **Sec. 2.** AS 21.54.020(b) is repealed.