

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

CS FOR HOUSE BILL NO. 269(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/5/14
Referred: Rules

Sponsor(s): REPRESENTATIVES THOMPSON, Hughes, Millett, Stoltze, Johnson, Tuck, Josephson, Tarr
SENATORS Micciche, Stedman, French, Ellis, Wielechowski

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to immunity for health care providers who provide health care services**
2 **voluntarily and without pay; and providing for an effective date."**

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

4 *** Section 1.** AS 09.65.300(a) is amended to read:

5 (a) Except as otherwise provided in this section, a health care provider who
6 provides health care services to another person is not liable for civil damages resulting
7 from an act or omission in providing the health care services if the health care

8 (1) provider is licensed in this state to provide health care services; **in**
9 **this paragraph, "health care provider" includes a health care provider who holds**
10 **a temporary license or permit to practice as a health care provider;**

11 (2) services provided were within the scope of the health care
12 provider's license;

13 (3) services were provided at a medical clinic, medical facility,
14 nonprofit facility, temporary emergency site, or other facility owned or operated by a

1 governmental entity or nonprofit organization and the health care provider was acting
 2 within the scope of the provider's responsibilities in the medical clinic, governmental
 3 entity, or nonprofit organization;

4 (4) services were provided voluntarily and without pay to the health
 5 care provider for the services, except as provided in (b)(2) and (3) of this section; and

6 (5) provider

7 (A) obtains informed consent **in writing** from the person
 8 receiving the health care services as described under AS 09.55.556, except in
 9 the case of an emergency; [AND]

10 (B) provides the person receiving the health care services
 11 advance written notice of the immunity provided under this section to a health
 12 care provider when providing voluntary health care services as described under
 13 this section; **and**

14 **(C) provides the person receiving health care services with**
 15 **written notice of the name of a licensed health care provider in the state**
 16 **that the person receiving health care services may contact for emergency**
 17 **follow-up care within 30 days after a procedure is performed.**

18 * **Sec. 2.** AS 09.65.300(c)(1) is amended to read:

19 (1) "health care provider" means a [STATE LICENSED] physician,
 20 physician assistant, dentist, dental hygienist, osteopath, optometrist, chiropractor,
 21 registered nurse, practical nurse, nurse midwife, advanced nurse practitioner,
 22 naturopath, physical therapist, occupational therapist, marital and family therapist,
 23 psychologist, psychological associate, licensed clinical social worker, or certified
 24 direct-entry midwife;

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