

SENATE CS FOR HOUSE BILL NO. 57(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 4/8/24

Referred: Rules

Sponsor(s): REPRESENTATIVES WRIGHT, McCormick, Galvin, Ruffridge, Schrage, Stutes, Cronk, Stapp, Craig Johnson, Story

SENATORS Merrick, Gray-Jackson, Bjorkman, Bishop, Kaufman

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to review organizations and permitting an emergency medical services
2 provider to establish a review organization; relating to patient records; and relating to
3 disclosure and reporting of health care services, prices, and fee information."

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

5 * **Section 1.** AS 18.23.070(1) is amended to read:

6 (1) "administrative staff" means the staff of **an agency, institution, or**
7 **organization that provides health care** [A HOSPITAL OR CLINIC];

8 * **Sec. 2.** AS 18.23.070(3) is amended to read:

9 (3) "health care provider" means an acupuncturist licensed under
10 AS 08.06; a chiropractor licensed under AS 08.20; a dental hygienist licensed under
11 AS 08.32; a dentist licensed under AS 08.36; **a physician or podiatrist licensed**
12 **under AS 08.64;** a nurse licensed under AS 08.68; a dispensing optician licensed
13 under AS 08.71; an optometrist licensed under AS 08.72; a pharmacist licensed under
14 AS 08.80; a physical therapist or occupational therapist licensed under AS 08.84; [A

1 PHYSICIAN LICENSED UNDER AS 08.64; A PODIATRIST;] a psychologist and a
 2 psychological associate licensed under AS 08.86; **an organization or government**
 3 **agency that is certified or licensed to provide emergency medical services under**
 4 **AS 18.08**; a hospital as defined in AS 47.32.900, including a governmentally owned
 5 or operated hospital; and an employee of a health care provider acting within the
 6 course and scope of employment;

7 * **Sec. 3.** AS 18.23.070(5) is amended to read:

8 (5) "review organization" means

9 (A) a hospital governing body or a committee whose
 10 membership is limited to health care providers and administrative staff, except
 11 where otherwise provided for by state or federal law, and that is established by
 12 a hospital, by a clinic, by one or more state or local associations of health care
 13 providers, by an organization of health care providers from a particular area or
 14 medical institution, **by an organization or government agency that provides**
 15 **emergency medical services**, or by a professional standards review
 16 organization established under 42 U.S.C. 1320c-1, to gather and review
 17 information relating to the care and treatment of patients for the purposes of

18 (i) evaluating and improving the quality of health care
 19 rendered in the area or medical institution;

20 (ii) reducing morbidity or mortality;

21 (iii) obtaining and disseminating statistics and
 22 information relative to the treatment and prevention of diseases, illness,
 23 and injuries;

24 (iv) developing and publishing guidelines showing the
 25 norms of health care in the area or medical institution;

26 (v) developing and publishing guidelines designed to
 27 keep the cost of health care within reasonable bounds;

28 (vi) reviewing the quality or cost of health care services
 29 provided to enrollees of health maintenance organizations;

30 (vii) acting as a professional standards review
 31 organization under 42 U.S.C. 1320c;

1 (viii) reviewing, ruling on, or advising on controversies,
 2 disputes, or questions between a health insurance carrier or health
 3 maintenance organization and one or more of its insured or enrollees;
 4 between a professional licensing board, acting under its powers of
 5 discipline or license revocation or suspension, and a health care
 6 provider licensed by it when the matter is referred to a review
 7 organization by the professional licensing board; between a health care
 8 provider and the provider's patients concerning diagnosis, treatment, or
 9 care, or a charge or fee; between a health care provider and a health
 10 insurance carrier or health maintenance organization concerning a
 11 charge or fee for health care services provided to an insured or enrollee;
 12 or between a health care provider or the provider's patients and the
 13 federal or a state or local government, or an agency of the federal or a
 14 state or local government;

15 (ix) acting on the recommendation of a credential
 16 review committee or a grievance committee;

17 (B) the State Medical Board established by AS 08.64.010;

18 (C) a committee established by the commissioner of health and
 19 approved by the State Medical Board to review public health issues regarding
 20 morbidity or mortality; at least 75 percent of the committee members must be
 21 health care providers;

22 (D) the Joint Commission on Accreditation of Healthcare
 23 Organizations (JCAHO).

24 * **Sec. 4.** AS 18.23.400(n)(3) is amended to read:

25 (3) "health care facility" means a private, municipal, or state hospital,
 26 psychiatric hospital, emergency department, independent diagnostic testing facility,
 27 residential psychiatric treatment center as defined in AS 47.32.900, kidney disease
 28 treatment center (including freestanding hemodialysis units), office of a private
 29 physician or dentist whether in individual or group practice, ambulatory surgical
 30 center as defined in AS 47.32.900, freestanding birth center as defined in
 31 AS 47.32.900, and rural health clinic as defined in AS 47.32.900; "health care facility"

1 does not include

2 (A) the Alaska Pioneers' Home and the Alaska Veterans' Home
3 administered by the department under AS 47.55;

4 (B) an assisted living home as defined in AS 47.33.990;

5 (C) a nursing facility licensed by the department to provide
6 long-term care;

7 (D) a facility operated by an Alaska tribal health organization;

8 [AND]

9 (E) a hospital operated by the United States Department of
10 Veterans Affairs or the United States Department of Defense, or any other
11 federally operated hospital or institution; **or**

12 **(F) a hospital subject to 45 C.F.R. 180 as that section read**
13 **on the effective date of this Act or any other federal price transparency**
14 **requirements that are reasonably similar to or exceed the requirements in**
15 **this section;**