

Introduced: 1/23/70  
Referred: Health, Welfare &  
Education and Labor &  
Management

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 524

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to medical examinations of claimants  
7 under Alaska Workmen's Compensation Act; and providing  
8 for an effective date."

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

10 \* Section 1. AS 23.30.055(e) is amended to read:

11 (e) The employee shall, after an injury, at reasonable times  
12 during the continuance of his disability if requested by his employer  
13 or, when ordered by the board, submit himself to an examination by a  
14 physician or surgeon authorized to practice medicine under the laws  
15 of the state in which the employee may be found, furnished and paid  
16 for by the employer. The employee has the right to have a physician,  
17 paid for by the employer, present at the examination or examinations.  
18 No information [FACT] relative to the injury or claim [COMMUNICATED  
19 TO OR OTHERWISE LEARNED BY A PHYSICIAN OR SURGEON WHO MAY HAVE  
20 ATTENDED OR EXAMINED THE EMPLOYEE, OR WHO MAY HAVE BEEN PRESENT AT AN  
21 EXAMINATION] is privileged, and such information may be released by a  
22 physician without liability [EITHER IN THE HEARINGS PROVIDED FOR IN  
23 THIS CHAPTER OR AN ACTION TO RECOVER DAMAGES AGAINST AN EMPLOYER WHO  
24 IS SUBJECT TO THE COMPENSATION PROVISIONS OF THIS CHAPTER]. If an  
25 employee refuses to submit himself to any examination provided for  
26 herein, his rights to compensation shall be suspended until the  
27 obstruction or refusal ceases, and his compensation during the period  
28 of suspension may, in the discretion of the board or the court deter-  
29 mining an action brought for the recovery of damages hereunder, be

1 forfeited. The board in any case of death may require an autopsy at  
2 the expense of the party requesting the autopsy. No autopsy may be  
3 held without notice first being given to the widow or next of kin if  
4 they reside in the state or their whereabouts can be reasonably  
5 ascertained, of the time and place of the autopsy and reasonable time  
6 and opportunity given the widow or next of kin to have a representative  
7 present to witness the autopsy. If no adequate notice is given, the  
8 findings from the autopsy may be suppressed on motion made to the  
9 board or to the superior court, as the case may be.

10 \* Sec. 2. This Act takes effect on the day after its passage and  
11 approval or on the day it becomes law without approval.  
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