

Introduced: 2/17/76
Referred: Commerce

1 IN THE HOUSE

BY OSTROSKY

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2 HOUSE BILL NO. 792

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to required benefits in individual,
7 group, and blanket disability insurance policies."

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

9 * Section 1. AS 21.51 is amended by adding a new section to read:

10 Sec. 21.51.335. REQUIRED BENEFITS. (a) A disability insurance
11 policy which provides for a definite or determinable payment intended to
12 recompense a person for costs that a person incurs should that person be
13 hospitalized for more than seven consecutive days or which indemnifies a
14 person against costs so incurred must also provide benefits equally
15 favorable to the person insured which recompense or indemnify a person
16 against costs incurred by less costly alternatives to care in a hospi-
17 tal, or skilled nursing home, including an intermediate care institu-
18 tion, outpatient long term care and home care services.

19 (b) For the purposes of this section

20 (1) "hospital" means a place devoted primarily to the main-
21 tenance and operation of facilities for the diagnosis, treatment, or
22 care for not less than 24 hours in a day of two or more nonrelated
23 individuals suffering from illness, disease, injury or deformity, or a
24 place devoted primarily to providing for not less than 24 hours a day
25 of obstetrical or other medical or nursing care for two or more
26 nonrelated individuals and includes convalescent home, nursing home, a
27 public health center, and as defined in AS 18.20.210 of this chapter, a
28 community mental health center, and a facility for the mentally re-
29 tarded.

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1 (2) "skilled nursing home" means a facility which is operated
2 in connection with a hospital or in which nursing care, intermediate
3 care, and medical services are prescribed by or performed under the
4 general direction of persons licensed to practice medicine or surgery in
5 the state for the accommodation of convalescents or other persons who
6 are not acutely ill, but who do require skilled nursing care and related
7 medical services; the term "nursing home" is restricted to those facili-
8 ties the purpose of which is to provide skilled nursing care and related
9 medical services for a period of not less than 24 hours a day to indi-
10 viduals admitted because of illness, disease or physical or mental
11 infirmity.

12 * Sec. 2. AS 21.54 is amended by adding a new section to read:

13 Sec. 21.54.080. REQUIRED BENEFITS. (a) Group disability and blan-
14 ket disability insurance which provides for a definite or determinable
15 payment intended to recompense a person for costs that a person incurs
16 should that person be hospitalized for more than seven consecutive days
17 or which indemnifies a person against costs so incurred must also pro-
18 vide benefits equally favorable to the person insured which recompense
19 or indemnify a person against costs incurred by less costly alternatives
20 to care in a hospital, or skilled nursing home, including an inter-
21 mediate care institution, including outpatient long-term care and home
22 care services.

23 (b) For the purposes of this section

24 (1) "hospital" means a place devoted primarily to the main-
25 tenance and operation of facilities for the diagnosis, treatment, or
26 care for not less than 24 hours in a day of two or more nonrelated
27 individuals suffering from illness, disease, injury or deformity, or a
28 place devoted primarily to providing for not less than 24 hours a day
29 of obstetrical or other medical or nursing care for two or more non-

1 related individuals and includes convalescent home, nursing home, a
2 public health center, and as defined in AS 18.20.210 of this chapter, a
3 community mental health center, and a facility for the mentally retarded

4 (2) "skilled nursing home" means a facility which is operated
5 in connection with a hospital or in which nursing care, intermediate
6 care, and medical services are prescribed by or performed under the
7 general direction of persons licensed to practice medicine or surgery
8 in the state for the accommodation of convalescents or other persons
9 who are not acutely ill, but who do require skilled nursing care and
10 related medical services; the term "nursing home" is restricted to those
11 facilities the purpose of which is to provide skilled nursing care and
12 related medical services for a period of not less than 24 hours a day to
13 individuals admitted because of illness, disease or physical or mental
14 infirmity.