

Introduced: 3/24/76
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE
BY REQUEST

2 *CS* HOUSE BILL NO. 881 *(Jud.) am*

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 interference with physician-patient
7 relationships."

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

9 * Section 1. The legislature declares that it is the right of every
10 citizen of this state to seek medical treatment of his choice and to receive
11 any treatment prescribed by a physician unless the treatment is conclusively
12 proven harmful to the patient. It is the intention of the legislature that
13 no person, group, organization or facility interfere with the physician-
14 patient relationship by attempting to suppress, restrict or forbid any treat-
15 ment prescribed by the physician and requested by the patient unless that
16 treatment is conclusively proven harmful to the patient.

17 * Sec. 2. AS 08.64 is amended by adding a new section to read:

18 Sec. 08.64.390. PENALTIES. (a) A hospital, group, association or
19 organization withholding privileges, levying fines, or in any way
20 sanctioning a physician member because of treatment prescribed by the
21 physician is interfering with the physician-patient relationship.

22 (b) A hospital which modifies or refuses to allow any treatment
23 prescribed by a physician and requested by his patient is interfering
24 with the physician-patient relationship.

25 (c) Interference with the physician-patient relationship is
26 punishable by a fine of not less than \$5,000 nor more than \$25,000.
27 Following a conviction under this section, each day the interference
28 continues is a new offense subject to a fine of \$500 per day.

29 (d) Interference with the physician-patient relationship is not an

1 offense if the basis of interference is a treatment conclusively proven
2 to be harmful to the patient.

3 (e) As used in this section "hospital" means hospital as that term
4 is defined by AS 18.20.130(1).

5 * Sec. 3. AS 18.20.050 is amended by adding a new subsection to read:

6 (b) The department shall suspend the license of any hospital
7 interfering with the physician-patient relationship during the term of
8 the interference.

9 * Sec. 4. AS 08.64.105, 08.64.380(3)(A), 08.64.380(3)(F), 08.64.380(3)(G)
10 AS 11.15.060(a)(2) and 11.15.060(a)(4) are repealed.