

Original sponsor(s): Labor & Commerce Committee

1 IN THE HOUSE BY THE LABOR & COMMERCE COMMITTEE
2 CS FOR HOUSE BILL NO. 334 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to malpractice insurance for certain
7 persons who are in a regulated occupation or profes-
8 sion."

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

10 * Section 1. AS 08.02 is amended by adding a new section to read:

11 Sec. 08.02.030. MALPRACTICE INSURANCE REQUIRED. (a) A person
12 in an occupation or profession regulated under this title shall obtain
13 malpractice insurance from an insurer authorized to do business in
14 this state if judgment has been entered against the person for civil
15 damages and the civil damages resulted from an act or omission arising
16 out of the person's occupation or profession. Malpractice insurance
17 required under this section must provide coverage for negligent acts
18 or omissions arising out of the occupation or profession of the
19 insured, and must be maintained in effect until the judgment is
20 satisfied or the parties to the judgment have entered into a settle-
21 ment agreement.

22 (b) A person who is required to obtain malpractice insurance
23 under this section shall provide a copy of the judgment and proof of
24 the required insurance, or a copy of the satisfaction or settlement of
25 the judgment, to the division of occupational licensing within 10 days
26 after judgment is entered. The license of a person who fails to
27 comply with this section shall be suspended for a period of one year.

28 (c) The division of occupational licensing shall
29 (1) in coordination with the division of risk management,

1 adopt regulations that establish minimum malpractice insurance re-
2 quirements for each regulated occupation or profession;

3 (2) upon issuance or renewal of a license, notify each
4 person in an occupation or profession regulated under this title of
5 the requirements of this section.

6 (d) A court that enters a judgment for civil damages resulting
7 from an act or omission arising out of the liable person's occupation
8 or profession occupation or profession, shall, if that person's occu-
9 pation or profession is regulated under this title, forward a copy of
10 the judgment to the division of occupational licensing.

11 (e) This section does not apply to a person who is required to
12 have insurance or to provide a bond as a condition of licensing, or to
13 a person who is no longer employed in the occupation or profession
14 that resulted in an award of civil damages, or to an occupation or
15 profession regulated under this title that is unrelated to the occupa-
16 tion or profession that resulted in an award of civil damages.

17 (f) In this section, "malpractice insurance" has the meaning
18 given in AS 21.12.070(a)(10).