

CS FOR HOUSE BILL NO. 302 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 5/14/91
Referred: Judiciary, Finance

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to malpractice insurance for certain persons who are in a regulated
2 occupation or profession."

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

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

5 Sec. 08.02.040. MALPRACTICE INSURANCE REQUIRED. (a) A person in an
6 occupation or profession regulated under this title shall obtain and maintain in effect a policy of
7 malpractice insurance from an insurer eligible to do business in this state if judgment has been
8 entered against the person for civil damages, the civil damages resulted from an act or omission
9 arising out of the person's occupation or profession, and the judgment has not been satisfied or
10 the parties to the judgment have not entered into a settlement agreement. Malpractice insurance
11 required under this section must provide coverage for negligent acts or omissions arising out of
12 the occupation or profession of the insured.

13 (b) A person who is required to obtain malpractice insurance under this section shall
14 provide a copy of the judgment and proof of the required insurance, or a copy of the satisfaction

1 or settlement of the judgment, to the division of occupational licensing within 45 days after
2 judgment is entered. The license of a person who fails to comply with this section shall be
3 suspended for a period of one year.

4 (c) The division of occupational licensing shall

5 (1) in coordination with the division of risk management, adopt regulations that
6 establish minimum malpractice insurance requirements for each regulated occupation or
7 profession;

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

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

14 (e) An insurer who issues a malpractice insurance policy to a person required to obtain
15 malpractice insurance under (a) of this section, shall, within 10 days, provide written notice to
16 the division of occupational licensing if the policy is canceled or not renewed.

17 (f) This section does not apply to a person who is required to have insurance or to
18 provide a bond as a condition of licensing, or to a person who is no longer employed in the
19 occupation or profession in which an act or omission occurred that resulted in an award of civil
20 damages, or to an occupation or profession regulated under this title that is unrelated to the
21 occupation or profession in which an act or omission occurred that resulted in an award of civil
22 damages.

23 (g) In this section, "malpractice insurance" has the meaning given in AS 21.12.070(a).