

**CS FOR HOUSE BILL NO. 302 (JUDICIARY)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 2/14/92**  
**Referred: 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 settlement

1 or satisfaction 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 until proof of the required insurance or proof of settlement or satisfaction of the  
4 judgment is filed with the division.

5 (c) The division of occupational licensing shall

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

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

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

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

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

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