

SENATE BILL NO. 323

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATORS STURGULEWSKI, Pearce

Introduced: 1/13/92

Referred: L&C, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to substance abuse by certain persons who are licensed under state law."

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

3 * Section 1. AS 08.01.087 is amended by adding a new subsection to read:

4 (c) At the request of a board, the department may contract with public agencies and
5 private professional organizations to provide assistance and treatment to persons licensed under
6 this title who abuse alcohol, other drugs, or other substances.

7 * Sec. 2. AS 08.02.020 is amended to read:

8 Sec. 08.02.020. LIMITATION OF LIABILITY. An action may not be brought against
9 a person for damages resulting from

10 (1) the person's good faith performance of a duty, function, or activity required
11 as

12 (A) a member of, or witness before, a licensing board or peer review
13 committee established to review a licensing matter;

14 (B) a member of a committee appointed under AS 08.64.336(c);

1 (C) a contractor or agent of a contractor under AS 08.01.087(c) or
2 AS 08.64.101(6); [OR]

3 (2) a recommendation or action in accordance with the prescribed duties of a
4 licensing board, peer review committee established to review a licensing matter, committee
5 appointed under AS 08.64.336(c), or contractor or agent of a contractor under AS 08.01.087(c)
6 or AS 08.64.101(6) when the person acts in the reasonable belief that the action or
7 recommendation is warranted by facts known to the person, board, peer review committee,
8 committee appointed under AS 08.64.336(c), or contractor or agent of the contractor under
9 AS 08.01.087(c) or AS 08.64.101(6) after reasonable efforts to ascertain the facts upon which
10 the action or recommendation is made; or

11 (3) a report made in good faith to a public agency by that person or
12 participation by that person in an investigation by a public agency or a judicial proceeding
13 relating to the report if

14 (A) the report relates to the abuse of alcohol, other drugs, or other
15 substances by a person licensed under this title; and

16 (B) the person making the report is a health practitioner, hospital,
17 hospital committee, or contractor under AS 08.01.087(c) or AS 08.64.101(6).