

**SPONSOR SUBSTITUTE FOR SENATE BILL NO. 323**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY SENATORS STURGULEWSKI, Pearce**

**Introduced: 2/3/92**  
**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 08.01.050 is amended by adding a new subsection to read:

4 (d) At the request of one of the following boards, the department may contract with  
5 public agencies and private professional organizations to provide assistance and treatment to  
6 persons licensed by the board who abuse alcohol, other drugs, or other substances:

7 (1) Board of Clinical Social Work Examiners;

8 (2) Board of Dental Examiners;

9 (3) Board of Dispensing Opticians;

10 (4) State Medical Board;

11 (5) Board of Nursing;

12 (6) Board of Examiners in Optometry;

13 (7) Board of Pharmacy;

14 (8) State Physical Therapy and Occupational Therapy Board;

1 (9) Board of Psychologist and Psychological Associate Examiners; and

2 (10) Board of Veterinary Examiners.

3 \* Sec. 2. AS 08.02.020 is amended to read:

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

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

7 as

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

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

11 (C) a contractor or agent of a contractor under AS 08.01.050(d) or  
12 AS 08.64.101(6); [OR]

13 (2) a recommendation or action in accordance with the prescribed duties of a  
14 licensing board, peer review committee established to review a licensing matter, committee  
15 appointed under AS 08.64.336(c), or contractor or agent of a contractor under AS 08.01.050(d)  
16 or AS 08.64.101(6) when the person acts in the reasonable belief that the action or  
17 recommendation is warranted by facts known to the person, board, peer review committee,  
18 committee appointed under AS 08.64.336(c), or contractor or agent of the contractor under  
19 AS 08.01.050(d) or AS 08.64.101(6) after reasonable efforts to ascertain the facts upon which  
20 the action or recommendation is made; or

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

24 (A) the report relates to the abuse of alcohol, other drugs, or other  
25 substances by a person licensed by a board listed in AS 08.01.050(d); and

26 (B) the person making the report is a health practitioner, hospital,  
27 hospital committee, or contractor under AS 08.01.050(d) or AS 08.64.101(6).