

**HOUSE BILL NO. 241**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY REPRESENTATIVE MULDER**

**Introduced: 3/19/93**

**Referred: Labor & Commerce, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to workers' compensation; and providing for an effective date."

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

3 \* Section 1. AS 23.30 is amended by adding a new section to read:

4           Sec. 23.30.047. **BENEFITS FOR HEALTH INSURANCE.** (a) An employer  
5 who pays compensation under AS 23.30.041(k), 23.30.180, 23.30.185, 23.30.190,  
6 23.30.200, or 23.30.215, and who provided health insurance to the employee at the  
7 date of injury, shall also reimburse the employee for health insurance coverage for the  
8 employee and covered dependents or in the case of compensation paid under  
9 AS 23.30.215 for health insurance coverage for the surviving spouse and dependent  
10 child, as provided in this section.

11           (b) Payment required under this section is equal to the employer's current  
12 contribution for health insurance or the amount paid by the employee, surviving  
13 spouse, or dependent child for replacement coverage, whichever amount is less.  
14 Payment required under this section commences when the employee's health insurance

1 provided by the employer's contribution ceases and shall continue until the employee,  
2 surviving spouse, or dependent child is no longer receiving compensation described in  
3 (a) of this section, or for 12 months, whichever period is shorter.

4 (c) Payment is not required under this section until the employee, surviving  
5 spouse, or dependent child provides proof of health insurance coverage. In this  
6 subsection, "health insurance" includes

7 (1) an individual policy of health insurance; or

8 (2) a notice of self-payment for continuance of coverage required under  
9 29 U.S.C. 1161 (Consolidated Omnibus Budget Reconciliation Act of 1985) or under  
10 a union health or welfare trust agreement.

11 (d) If benefits required under this section are not paid within 30 days after the  
12 employer receives a request for payment, the employer shall pay a penalty equal to 25  
13 percent of the amount due.

14 \* Sec. 2. AS 23.30 is amended by adding a new section to read:

15 Sec. 23.30.263. IMMUNITY FROM CIVIL LIABILITY FOR WORKPLACE  
16 SAFETY INSPECTIONS. An employer's safety inspector is not liable for civil  
17 damages for an injury to an employee of that employer resulting from an act or  
18 omission in performing or failing to perform a loss control service, a workplace safety  
19 inspection, or a safety advisory service provided in connection with an employer's  
20 workers' compensation insurance coverage, unless the act or failure to act constitutes  
21 intentional misconduct. In this section, "safety inspector" means a carrier and an  
22 employee or agent of the carrier, a trade association of which the employer is a  
23 member, or a person providing adjusting or inspection services to an employer who  
24 is a member of an association established under AS 21.76.010 or an employer who is  
25 self-insured under AS 23.30.090.

26 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).