

SENATE BILL NO. 179

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced: 3/31/93
Referred: HES, L&C

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to medical or chiropractic examinations required under an
2 insurance policy or certain self-insurance plans; and providing for an effective
3 date."

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

5 * Section 1. AS 21.42 is amended by adding a new section to read:

6 Sec. 21.42.275. REQUIREMENTS FOR CONDUCT OF MEDICAL OR
7 CHIROPRACTIC EXAMINATION. If an insurer requires the insured to submit to a
8 medical examination or evaluation by a physician of the insurer's choice to determine
9 if the initial medical treatment received by the insured was reasonable and necessary
10 under the terms of the insurance contract, the examination or evaluation shall be
11 performed by a physician licensed to practice medicine in this state. If an insurer
12 requires the insured to submit to a chiropractic examination or evaluation by a
13 chiropractor of the insurer's choice to determine if the initial chiropractic treatment
14 received by the insured was reasonable and necessary under the terms of the insurance

1 contract, the examination or evaluation shall be performed by a chiropractor licensed
2 to practice chiropractic in this state. A medical examination required by the insurer
3 shall be conducted by a physician and a chiropractic examination required by the
4 insurer shall be conducted by a chiropractor.

5 * Sec. 2. AS 23.30.090 is amended to read:

6 Sec. 23.30.090. SELF-INSURANCE CERTIFICATES; DUTIES. If an
7 employer has complied with the provisions of this chapter relating to self-insurance,
8 the board shall issue the employer a certificate which shall remain in force for a period
9 fixed by the board. The board may, upon at least 10 days' notice and a hearing,
10 revoke a self-insurance certificate upon satisfactory proof that an employer is no longer
11 entitled to it. After revocation the board may grant a new certificate to an employer,
12 upon the employer's petition and satisfactory proof of the employer's financial ability
13 as provided in this chapter. An employer authorized as a self-insurer shall provide
14 claims facilities through its own staffed adjusting facilities located within the state, or
15 independent, licensed, resident adjusters with power to effect settlement within the
16 state and shall comply with the medical or chiropractic examination requirements
17 of AS 21.42.275.

18 * Sec. 3. This Act takes effect July 1, 1993.