

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

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AMERICAN COLLEGE OF NURSE-MIDWIVES

ALASKA CHAPTER, Box 9416 Hiland Road, Eagle River, AK 99577

September 1985

We, the undersigned, support the profession of nurse-midwifery and ask that our elected officials give their support to any legislation intended to help resolve the problem of nurse-midwives' loss of malpractice insurance coverage.

PRINTED NAME

SIGNATURE

ADDRESS

PRINTED NAME	SIGNATURE	ADDRESS
Jeanne Beckauste	Jeanne Beckauste	P.O. Box 1806 Eagle River AK 99577
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Jean Adamsen	Jean Adamsen	SR Box 2727 Chugiak 99567
Ellen Sewright	Ellen Sewright	2901 Loop Baranof Anch AK 99503
Toni Arvold	Toni Arvold	8341 Sue St AA 99502
Joni Starn	Joni Starn	527 E. 16th Ave Anchorage AK 99501
Karen Von Eck	Karen Von Eck	SOC 1 Bldg 2387 Chugiak
J.D. Pross	Jeanne Pross	123 N. Bliss Anchorage Alaska 995
Claudia Trenddenburg	Claudia Trenddenburg	3801 Furrow Creek Anch. AK 99516
Sheryl L. Pope	Sheryl L. Pope	8515 Blackberry #2 Anchorage AK 99502
Nancy Tix	Nancy Tix	P.O. Box 774173 Eagle River AK
Susan Marie Smith	Susan Marie Smith	SR Box 7041 Palmer AK 99645
Ken Jameson	Ken Jameson	123 N. Bliss Anch. AK 99508 338-3181
Sarah Martin	Sarah Martin	3500 La Touche #390 99507



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Kim Jones	Kim Jones	1260 Goldenberry
Kimberly Millis	Kimberly Millis	21-583C Lemox Ave. EAFB, AK. 99506
Koren Crosby	Koren Crosby	1720 Cedrus Cir Anch AK 99507
Wendy White	Wendy White	8244 Wilson 99502
Marc Nelson	Marc Nelson	1410 Beaver Pl. Anch 99504
BARBARA CLAYTON	Barbara Clayton	1410 Beaver Place, Anch 99504
Patti Black	(Patti Black)	1200 W. Diamond Blvd. #542
Lisa Walls	Lisa Walls	7-710 F 9 St. EAFB, ak. 99506
Brigitte Brown	Brigitte Brown	810 W 80th Anch, AK 99518
Tanya Asher	Tanya Asher	615 W 45th #4 Anch AK 99502
Eric Asher	Eric Asher	615 W 45th #4
Barbara Dugan	Barbara Dugan	2800 Ruby Dr. Anch AK 99502
Unce Dugan	Unce Dugan	2800 Ruby Dr Anch AK 99502



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MARGARET R. LOWE	Margaret R. Lowe	1519 W 15th Anchorage 99501
CHRISTINA BRSLAND	Christina Brsland	5300 Secluded Cir Anch. 99516
NACIM LEONARD	Nacim Leonard	Box 77108 Eagle River, AK 99577
TIMOTHY R. LOWE	Timothy R. Lowe	1420 INLET Pt. ANCH, 99501
Amy Garrett	Amy & Barnett	1605 E 41st #2 Anchorage 99508
Stein	Gary Stein	12108 wilderness Anc AK
Lisa Dortch	Lisa Dortch	351 ABTS ST Ft. Rich AK
Ginny Kreines	Ginny Kreines	3940 Steller Anch 99504
Cathy Bond	Cathy Bond	1007 W. 3rd #400 Anch. AK 6600 Winchester St.
Georgann Joy	Georgann Joy	Anchorage, AK 99507
Ruth Ann Dodson	Ruth Ann Dodson	3339 Lakeside Drive Anchorage, AK 99507
ELIZABETH GOODWIN	Elizabeth Goodwin	1260 OLIVE N BERTHLY ANC 99515
Mike Gorman	Mike Gorman	2440 TUDOR RD #375 ANCHORAGE AK 99504



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Linda A. Kimbel *Linda A. Kimbel* 3101 Merganser Avenue
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PRINTED NAME	SIGNATURE	ADDRESS
Judith Barton	Judith J. Barton	P.O. Box 671065 Chugiak, AK 99567
Denise Edwards	Denise Edwards	Box 641 Gridwood AK 99587
Michael Edwards	Michael Edwards	P.O. Box 64 Gridwood AK 99587
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Pam Spicer	Pam Spicer	Anchor AK 99516
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Gregory A. Myhre	Gregory A. Myhre	9300 Arlene #108 Anchorage AK 99515
J. Annie R. Bassett	J. Annie R. Bassett	1645 Sitta #102 Anch. AK 99502
Deborah Myhre	Deborah Myhre	9300 Arlene #108 Anchorage AK 99515



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Tanya Thompson	<i>Tanya Thompson</i>	2670 Bryant Circle Anchorage AK 99501
Sue Looney	<i>Sue Rooney</i>	4821 E. 115 th Apt A Anchorage AK 99501
Margaret Kierce	<i>Margaret Kierce</i>	9700 Newhampstead Anchorage AK 99507
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Cynthia Pierce	<i>Cynthia Pierce</i>	9659 Reliance Anchorage AK 99501
Beverly Peterson	<i>Beverly Peterson</i>	4526 Klondike Anchorage AK 99501
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Elizabeth J. Krupka	Elizabeth J. Krupka	4261 Wainuel Dr. 99508
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Patricia Hayes	Patricia Hayes	2241 Chisana Eagle River 99577
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Kristy Laird	Kristy Laird	101 Acate Cir. Anchorage AK 99504



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Martha Clouse	Martha Clouse	326 Skumagin Circle E.R. 99577
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Deborah Wagner	Deborah Wagner	405 Summa E.R. AK 99577
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Karen Mutholland	Karen Mutholland	PO 1821 Eagle River, AK 99577
Shirley Kitta	Shirley Kitta	7140 Hill View Cir Anchorage, AK 99507
ANNA DICKEY	Anna Dickey	6200 NEWT DR. Anchorage 99507
Karen Roming	Karen Roming	5531 Timony Pl. Anchorage 99516
Jeanne Flesher	Jeanne Flesher	9142 Liberty Cir Anchorage, AK 99507
LINDA HESSMER	Linda Hessmer	SR 6376 B-2 Wasilla, AK 99687
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MARtha OLSON	Martha D. Olson	5705 LADD LN. ANCHORAGE AK 99504
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Dawn Kelly	Dawn Kelly	9531 AIRBORNE ANCH, AK 99503
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Mike Jones

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A. Stephanie Oglesby	A Stephanie Oglesby	4110 Coventry Dr. 99507
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LINDA WAKE	Linda Wake	11061 Boulder Cir. ANCHORAGE AK 99516



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AMERICAN COLLEGE OF NURSE-MIDWIVES

ALASKA CHAPTER, Box 9416 Hiland Road, Eagle River, AK 99577

September 1985

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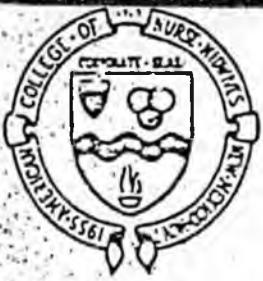
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ALASKA CHAPTER, Box 9416 Hiland Road, Eagle River, AK 99577

Return to Lynn or Marilyn

September 1985

We, the undersigned, support the profession of nurse-midwifery and ask that our elected officials give their support to any legislation intended to help resolve the problem of nurse-midwives' loss of malpractice insurance coverage.

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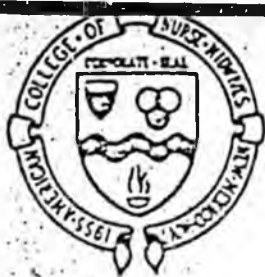
We, the undersigned, support the profession of nurse-midwifery and ask that our elected officials give their support to any legislation intended to help resolve the problem of nurse-midwives' loss of malpractice insurance coverage.

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Tarri Stuart	Tarri Stuart	6962 Terry Pl. Anch



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IDA Ballot Ida Ballot Kotzebue, AK

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STEPHEN ZALEWSKI Stephen Zaleski Kotzebue AK

Mary Bassett Mary Bassett Kotzebue AK

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Roxanne Fahrwald M.D. Roxanne Fahrwald M.D. Kotzebue AK

Randy Ensminger MD Randy Ensminger MD Kotzebue AK

JAMES A. KEENE, PHARM.D. James A. Keene KOTZEBUE AK

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Jerry L. Roberts	<i>Jerry L. Roberts</i>	Kotzebue AK 99752
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Robert Sylvester *Robert Sylvester* 90 SPRUCE ST #204 Juneau AK 99801

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Ivan Steven Sanders Ivan A. Sanders 7250 Glacier Highway Juneau AK 99801

AMERICAN COLLEGE OF NURSE-MIDWIVES,
ALASKA CHAPTER

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We, the undersigned, support the profession of nurse-midwifery in Alaska. We ask that our state legislators support legislation that will assist certified nurse-midwives' efforts to acquire more available, affordable liability insurance. Nurse-midwifery care must be a continuing choice for Alaskan childbirth consumers!

Printed Name

Signature

Address

Printed Name	Signature	Address
Chris Crum	Chris Crum	P.O. Box 15116 FCB Homer
Theodora A. Velsko	Theodora A. Velsko	P.O. Box 2269, Homer
SHIRLEY M. GRAFF	Shirley M. Graff	HCR. 54374 EAST RD ^{HCMet.} AK
Deanna L. Chesser	Deanna L. Chesser	P.O. Box 83 Anchorage, AK
Russell Chesser	Russell Chesser	P.O. Box B3 Anchorage AK
C. DEE MCLEAN	Dee McLean	P.O. Box 2304 Homer AK
Debbie Seymour	Debbie Seymour	P.O. Box 3010 (Homer)
Lee Graham	Lee Graham	P.O. Box 63 Anchor Pt.
JAMES GRAHAM	James Graham	" " "
M. Morschauser	M. Morschauser	Box 29 Seldovia AK
Gerald J. Jones	Gerald J. Jones	704 Rumpnew Homer, AK
Liz Hejl	Liz Hejl	Box 2089 Homer AK 99603
Joy Bice	Joy Bice	S.P. Box 913 Anchorage Point of View 99502
Marjorie Belieu	Marjorie Belieu	P.O. Box 2163 Homer AK 99603

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Address

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Patricia A. Mitchell Patricia A. Mitchell HCR 63895 Katumar Ave. Homer

Lynn B. Stolen Lynn B. Stolen HCR 40625 Hancock Dr. Homer, AK

Linda Disler Linda Disler Box 2976 Homer AK

Carolyn Hudson Carolyn Hudson 421 Mtn View/Homer, AK

CHIP DODD Chip Dodd Box 1402 HOMER

Marjorie Manchester Marjorie Manchester Box 1651 Homer, AK

Lalita McChmonds Lalita McChmonds Box 2143 Homer, AK

Nancy Porter Nancy Porter Box 15221 Homer, AK

LISA PARDY Lisa Pardy P.O. Box 2842 Homer, AK 99602

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Address

Printed Name	Signature	Address
Linda Munns	Linda Munns	Box 3361 Homer AK 99600
Jan Mulvey	Jan Mulvey	Box 3098 Homer AK 99603
Shannon DeBito	Shannon DeBito	Box 761 Homer AK 99603
Jennifer Morris	Jennifer Morris	P.O. Box 175 Anchorage AK 99505
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Holly Bayley	Holly Bayley	4486 Early Spring St Homer AK 99603
Terri Bramel	Jeri Bramel	HCR 38750 Clark Rd. Homer AK 99603
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Mary Ann Chisholm	Mary Ann Chisholm	Box 1585 Homer AK 99603
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Printed Name	Signature	Address
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D. W. MACKENZIE	<i>D. W. Mackenzie</i>	4258 SHIRLEY CT HOMER AK 99603
Linda Mackenzie	<i>Linda Mackenzie</i>	"
Frauces Burke	<i>Frauces Burke</i>	Box 1257 Homer AK 99603
Kimber Stingley	<i>Kimber L. Stingley</i>	B 11600 East Rd Homer 99603
Cathy Stingley	<i>Cathy Stingley</i>	1660 East End Rd.
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Printed Name Signature Address

Stephanie Stauber	Stephanie Stauber	Box 4281, Homer, AK
William Bellman	William Bellman	Box 894 Homer
Betty Eneboe	Betty Joan Eneboe	Box 194 Homer, AK
Judith Hardesty	Judith Hardesty	PO Box 282 Anchorage, AK
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RACHEL GANNAWAY	Rachel Gannaway	Box 653 Homer, AK
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Rebecca Boone	Rebecca Boone	P.O. Box 1496 Homer AK.
Mary Lou Kelsey	Mary Lou Kelsey	Box 111 Homer, AK 9960

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Signature

Address

Michael P. McBeider	<i>Michael P. McBeider</i>	CHINA Post Box 956 Homer Ak
Gail Z Thomas	<i>Gail Z Thomas</i>	Box. P.O. 2486 HOMER, AK.
EWALINE A. NELSON	<i>E. Nelson</i>	2355 KACHEMAKS DA HOMER AK.
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Printed Name Signature Address

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Printed Name	Signature	Address
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Marga Powell	Marga Powell	146 Parkview Terr. ^{E.R., AK} 99577
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Lynn Moffatt	Lynn Moffatt	921-A E. 20 th Anch. 99520
James Verhaeghe	James Verhaeghe	126 Prince of Peace ^{ED}
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Amy Szolczewski	Amy Szolczewski	9302 Hall Cr Eagle River, AK 99577
Carolyn J. Brumley	Carolyn Brumley	108 Chicago St Eagle River, AK 99577
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Printed Name Signature Address

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Chris Lyden	Chris Lyden	4504 875342 - WASILLA, AK
Liberal A. Pinner	DEBORAH HEINEN	8524 BOUNDARY AVE #6 ANCHORAGE AK 99504
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Siren Johnson	Siren Johnson	PO Box 870116 Wasilla AK 99687
Michael F. Boyle	Michael F. Boyle	PO Box 2235 Palmer AK
Joan Nelson	Joan Nelson	P.O. Box 670609 Egegik AK 99827

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Printed Name Signature Address

Marilyn Cole Henry	Marilyn Cole Henry	2247 Knicker Bldg. Anch. AK 99508
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Debbie Story	Debbie Story	7100 Lake City #22 Anch. 99505
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Pamela KIDD	Pamela Kidd	4525 E 9th #1 Anch, AK 99508
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LEAN SKAISTIS	Lean Skaitis	1415 Birchwood ANCHORAGE AK 99508
Anita Drem	Anita Drem	1601 - 1 Russian Jack Dr. Anchorage 99501

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Printed Name Signature Address

Samuel T. Strange	<i>Samuel T. Strange</i>	3410 E 42 nd Anch. AK 99508
Elizabeth Strange	<i>Elizabeth M. Strange</i>	3410 E. 42 nd Anch AK 99508
Sue Averill	<i>Sue Averill</i>	2090 Campbell Pl, Anch, AK 99507
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Sharon J. Cluff	<i>Sharon J. Cluff</i>	P.O. Box 771751 Eagle River, AK 99577
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Jacquet Dima	<i>Jacquet Dima</i>	PO BOX 141034 Anch, AK 99514
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Jon H. Johnson	<i>Jon H. Johnson</i>	P.O. Box 773586 EAGLE RIVER AK 99577
Joyce A. Straub	<i>Joyce A. Straub</i>	3241 Tarwater Anch. 99508
Teresa Demario	<i>TERESA DEMARIO</i>	5644 E 410 th G302 99501
Mrs. Bernice	<i>Bernice</i>	368-H Kenai Ft. Rich
Angella Jackson	<i>Angella Jackson</i>	1545 S. Hoyt
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Printed Name	Signature	Address
Lisa Hendrickson	<i>Lisa Hendrickson</i>	P.O. Box 10-4663 Anch, AK 99570
Kathy Lowman	<i>Kathy Lowman</i>	2736 E 20 th Ave
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KRISTIN NEWMAN	<i>Kristin Newman</i>	1080 Potlatch City 99503
Gayle Hollenbeck	<i>Gayle Hollenbeck</i>	3640 Clay Products 99517
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Barbara J. Gill	<i>Barbara Gill</i>	2124 Douglas Dr Anch 99517
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Lail Sorensen	<i>Lail Sorensen</i>	Box 743 Bethel, AK 99559
Shirley A. Sorensen	<i>Shirley A. Sorensen</i>	1545 S. HORTON ^{AK} AVE, AK. 99508
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Patti Easteely	Patti Easteely	Box 775213 E.R. AK 99571
Susan Borstad	Susan Borstad	1001 Boniface #105 99504
Peggy Dannewitz	Peggy Dannewitz	1844 Bartlett 99507
Dianamiranda	dianamiranda	1244 Bartlett Dr 99507
BRENDA RICHARD	SRB 7351	PALMER AK 99645
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Janet Pelletier	Janet Pelletier	Palmer, AK 99645
Dace C. Boyd	Dace C. Boyd	Palmer, Ak. 99645
Gerri Lewerenz	Gerri Lewerenz	Palmer, Ak 99645
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Printed Name Signature Address

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JANE SULESKI Jane Suleski 1421 Twining Dr. 99504

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B.A. Johnson B.A. Johnson 611 W. 32nd Anch. 99503

LYNDA MICHEEL Linda S. Micheel 320 Bay Lander Cir. Anch. 983

Eli Watkins Eli Watkins 6808 Spruce Anch

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Christina Kautzky Erbes Christ. Kathy Erbes 15 S Witter St. Anch. 99503

Rosie Mankel Rosie Mankel 8241 Pokoy Cir 99507

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Kathy O'Neill Kathy O'Neill PO Box 9757 Anch 99509

Tyler WALKER Tyler Walker 1030 S Thimbleberry 99515

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Signature

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Tina Bond	Tina Bond	406 W 12 th #6
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Printed Name	Signature	Address	
Sarah Solski	Sarah Solski	3034 Rose St Anch.	99508
MARLENE Joe Story	Merlene Joe Story	PO Box 2762 Anch AK	99511
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Yemo CHERRY	Yemo Cherry	2810 E. 20th	99508
STEVE FURROY	[Signature]	365 ARCTIC #940 ANCH. AK	99503
Susan Johnson	Susan Johnson	3120 E 40 th Anch AK	99508
Beth Williams	Beth Williams	7800 De Barr #150	99505
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Denise Holmeister	D.A. Holmeister	235 N. Park St 40 Anch. AK	99508
MELANIE SHARP	Melanie Sharp	2700 De Arriman Rd Anch	99511
Deborah Redding	D Redding	3600 Aldren	99517
Mark Hunt	Mark Hunt	8910 Pioneer Dr ANCHORAGE AK	99508
Debra Strange	Debra Strange	7800 De Barr Sp. 154 Anch. AK	99504

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Signature

Address

Robert Hockzema	Robert B. Hockzema	1909 Parkview Ct Anch, AK 99501
Cathie Smith	Cathie Smith	3204 Cois #2 99501
Louise W. Jordan	Louise W. Jordan	21-503 Lemmon Ave Anch, AK
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Tammy Friend	Tammy Friend	7700 Debar Rd sp 73 Anch AK
Jill Purroy	Jill Purroy	3605 Arctic #940 Anch AK 99503
Phyllis Morin	Phyllis Morin	P.O. BOX 1408 Anch AK 99511
Vicki Lam	Vicki Lam	P.O. Box 771213 Eagle River AK 99575
Allen Jones	Allen Jones	1924 Columbine Pl. Anch. AK 99508
Glen Jones	Allen Jones	1924 Columbine Pl. Anch. AK 99508
Mona J Spicer	Mona J Spicer	711 Beavertail Dr. Anch. AK 99575
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BRIAN THOMAS	Brian Thomas	P.O. Box 210702 99521
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Printed Name Signature Address

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David E. Nelson	David E. Nelson	P.O. Box 670609 Chugiak 99567
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Jorell McClung	Jorell McClung	355 Donna Anch 99574
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Signature

Address

Printed Name	Signature	Address
Mary Alice Swanson	Mary Alice Swanson	2635 Lee Anchorage ⁹⁹⁵⁰⁴
Pat Wierzbicki	Pat Wierzbicki	SRA Box 6300 Palmer, AK. 99645
Kathy Snyder	Kathy Snyder	P.O. 872922 Wasilla, AK Casilla
Mary Herman	Mary Herman	1201. Tijuana Joe Circle
JOYCE LOE	Joyce Loe	PO Box 530066 Big Lake, AK
SHER CAMBRIDGE	Sher Cambridge	P.O. Box 876250 Wasilla
GLENA H BUSCHUR DORI MARTIN Glen H Buschur Dori Martin	Glen H Buschur	124 Meadow Creek E.R. AK 99511 P.O. Box 874725 Wasilla
Lynn Houser	Lynn Houser	SRA Box 7546 Palmer
Judi Cooper	Judith S. Cooper	PO # 336 SUTTER AK 99574
Linda Foranger	Linda Foranger	PO Box 874968 ^{Wasilla} AK
Suzanne M Wilson	Suzanne M Wilson	SR 6214 F Palmer, AK 99645
Wendell Coley		SRA 6905 PALMER, AK 99645
Chrissy Buffs	CHRISSE BUFFS	PALMER, GENERAL DELIVERY AK 99645

AMERICAN COLLEGE OF NURSE-MIDWIVES,
ALASKA CHAPTER

March 1986

We, the undersigned, support the profession of nurse-midwifery in Alaska. We ask that our state legislators support legislation that will assist certified nurse-midwives' efforts to acquire more available, affordable liability insurance. Nurse-midwifery care must be a continuing choice for Alaskan childbirth consumers!

Printed Name Signature Address

IMOGENE CENTORCELLI	Imogene Centorcelli	Anchorage, AK 99508 1712 Russian Park Drive apt D
CHUCK MEACHAM	Chuck Meacham	3502 WESLEYAN DR Anch
SARAH READ	Sarah Read	* 511 Gambels Circle
EVA RATHLEFFE	Eva Rathleffe	8120B Little Dipper
Cindi Thibodeaux	C. Thibodeaux	7800 No Barr #26 21-6768 Arcticor
LINDA FLEGLE	Linda D. Flegle	EAFB AK 99506
Roxanne Wilhelm	Roxanne Wilhelm	SR. 1 Box 2784 Chugiak, Ak - 99567
Ann M. Martin	Ann M. Martin	801 Airport Hts Rd #117 Anchorage, AK 99508
Deborah L. Vanduff	Deborah L. Vanduff	Po Box 90587 Anchorage, Ak. 99509
Margaret Kenney	Margaret Kenney	3605 ARCTIC #1470 Anchorage, AK 99503
Juanita Willis	Juanita M. Willis	P.O. Box 110566 Anch AK 99511
Amber Downing	Amber Downing	Po Box 112005 Anch AK 99511
Barbara Doty	Barbara J. Doty M.D.	P.O. Box 2768 Palmer 99645

ALASKA SERVICES

P. O. BOX ~~1197~~ 101157
ANCHORAGE, ALASKA 99510

April 18, 1986

Editor
Anchorage Times Publishing Company
820 West Fourth Avenue 99501


Dear Editor:

Tort Reform is being beaten and battered from pillar to post in such an obscene fashion that the possibility of corrective results will be lost in the mess of mud. Actually fairminded people could get to an honest, fair and reasonable solution if they start with the statute rule proposed as follows:

Awards for personal liability on private property after intent to harm and intent to intrapment have been proven shall be limited to the municipally assessed value of the legally described parcel per recorder records with the defendent choosing either to relinquish land or cash. Where some considerably less award is made it shall be cash.

This of course would remove the legions of hustlers who horn in on the act for their own benefit.

Yours truly,


Joe Graham

Dear Rep Miller
Hear You Are Retiring - How About
Accomplishing One Thing As Above
Before You Depart??





AMERICAN COLLEGE OF NURSE-MIDWIVES

ALASKA CHAPTER, BOX 9416 Hiland Road, Eagle River, AK 99577

March 18, 1986

Representative Mike Navarre
Chairman, Labor and Commerce Committee
House of Representatives
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Representative Navarre:

This is a follow-up of my letter to your committee dated February 18th.

I understand that your committee has received a copy of draft legislation from Senator Fahrenkamp's office regarding an amendment to the statute which created the Medical Indemnity Corporation of Alaska (MICA). This amendment would give certified nurse-midwives the opportunity to acquire liability insurance as independent providers. The current statute only allows for coverage of nurse-midwives if they are an employee of a MICA covered physician.

Several nurse-midwives in Alaska work with physicians who have chosen to 'go bare'. These nurse-midwives will be out of business this summer and fall if alternative sources of coverage are not found. Certified nurse-midwives feel a moral and practical obligation to have liability insurance while providing care to childbearing women and infants.

In my previous letter, I mentioned that our national organization, the American College of Nurse-Midwives, is attempting to form its own insurance company. I recently received a copy of testimony presented to the United States Senate Committee on Commerce, Science and Transportation. (See enclosed). It is painfully obvious to me that while the ACNM has terrific intentions, they have several barriers to deal with and I do not envision any help for us on the national level this year.

Of the 29 certified nurse-midwives in Alaska, 14 are clinically active and will need continuing liability coverage by September 1. An amendment to the MICA statute is our best answer at present and we ask that you endorse passage of this amendment this session.

Over 1,000 Alaska infants arrived with our help last year and we want to continue to provide our valued service.

Please contact me for further information if needed. I look forward to your reply.

Sincerely,

Marilyn Pierce-Bulger, RN, MN, CNM
Chairman, Alaska Chapter, ACNM
wk 265-9245 hm 694-6076
Enclosures

NELSON • SMITH • ASSOCIATES, P.C.

CIVIL / STRUCTURAL ENGINEERS

April 18, 1986

Representative M. Mike Miller
Alaska State Legislature
House Judiciary Committee
Pouch V (MS3100)
Juneau, Alaska 99811

Re: House Bill 532

Dear Representative Miller,

I would like to see this bill emerge from your committee in the current legislative session. Admittedly this bill is not the panacea to resolving our current problems, but at least it is a vehicle which can be regarded as a start in a desired direction. We need some legislative action, which will be in some measure, beneficial to the design professional community in our struggle to survive the present insurance crisis.

There are two sections which I feel should remain in with the bill. Section 09.17.025 (Damages Resulting From Intoxication) is a good one and should be left in the bill. Secondly, Section 09.17.06 (Apportionment Of Damages) is the section which in my view is most important to remain, particularly the provision of joint and several liability.

I would appreciate hearing your thoughts on this.

Sincerely yours,

NELSON.SMITH.ASSOCIATES, P.C.



William M. Smith, P.E.
Principal

WMS:dj

ALASKA NATIONAL INSURANCE COMPANY
7001 Jewel Lake Road
Anchorage, Alaska 99502
907-248-2642

April 24, 1986

Mike Miller, Chairman
House Judiciary Committee
House of Representatives
Pouch
Juneau, Alaska 99811

Dear Representative Miller:

As I indicated in February before your committee, I am concerned about two aspects of HB 522.

First, the provision limiting the insurers' ability to cancel commercial insurance is an unwarranted imposition of a carriers freedom to underwrite its risks to a profit. There are innumerable reasons for which a carrier may wish to and ought to have authority to cancel commercial coverage mid-term. I would urge that Section 7 (A.S. 21.36.215) be removed from the bill.

If it is to be included, then at the very least subsections should be added as follows:

- (10) Losses being reported under the policy which indicate to the insurer that the insured is not exercising acceptable safety and loss control practices.
- (11) Determination after inception of the policy of facts about the risk which if known prior to inception would have caused the insurer not to accept the risk.
- (12) Changes in the character of the risk which increase the hazards insured against.

Second, the effective date of cancellation ought to be 30 days not 60 days. To do otherwise would require us to collect larger deposits and be more restrictive in our underwriting than is currently the case.

(Sec 9, AS 21.36.220 (b))
Page 5 Line 12.

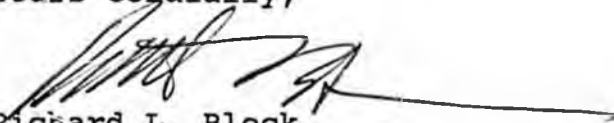
Also the bill does not recognize the wide use of auditable policies, policies, the premium for which, cannot be calculated until after expiration of coverage.

I would urge adding

(Sec 9 AS 21.36.220 (c))
Page 5 Line 14-24.

"(c) If an insurer cancels a policy under (b) of this section, it shall return or credit any unearned premium to the agent or broker of record or directly to the insured or premium finance company, if applicable, before the effective date of cancellation, except that, if cancellation is for nonpayment of premium, any unearned premium must be returned within 45 days after the notice of cancellation is given [.] and except if the policy premium is subject to audit then the insurer shall cause the audit to be performed within thirty days after the effective date of cancellation and return or credit return premium, if any, within thirty days after completion of the audit.

Yours Cordially,



Richard L. Block

RLB/kc



AMERICAN COLLEGE OF NURSE-MIDWIVES

ALASKA CHAPTER, BOX 1416 Hiland Road, Eagle River, AK 99577

March 18, 1986

Representative Mike Navarre
Chairman, Labor and Commerce Committee
House of Representatives
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Representative Navarre:

This is a follow-up of my letter to your committee dated February 18th.

I understand that your committee has received a copy of draft legislation from Senator Fahrenkamp's office regarding an amendment to the statute which created the Medical Indemnity Corporation of Alaska (MICA). This amendment would give certified nurse-midwives the opportunity to acquire liability insurance as independent providers. The current statute only allows for coverage of nurse-midwives if they are an employee of a MICA covered physician.

Several nurse-midwives in Alaska work with physicians who have chosen to 'go bare'. These nurse-midwives will be out of business this summer and fall if alternative sources of coverage are not found. Certified nurse-midwives feel a moral and practical obligation to have liability insurance while providing care to childbearing women and infants.

In my previous letter, I mentioned that our national organization, the American College of Nurse-Midwives, is attempting to form its own insurance company. I recently received a copy of testimony presented to the United States Senate Committee on Commerce, Science and Transportation. (See enclosed). It is painfully obvious to me that while the ACNM has terrific intentions, they have several barriers to deal with and I do not envision any help for us on the national level this year.

Of the 29 certified nurse-midwives in Alaska, 14 are clinically active and will need continuing liability coverage by September 1. An amendment to the MICA statute is our best answer at present and we ask that you endorse passage of this amendment this session.

Over 1,000 Alaska infants arrived with our help last year and we want to continue to provide our valued service.

Please contact me for further information if needed. I look forward to your reply.

Sincerely,

Marilyn Pierce-Bulger, RN, MN, CNM
Chairman, Alaska Chapter, ACNM
wk 265-9245 hm 694-6076
Enclosures

March 26, 1986

House Labor + Commerce Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Chairman Navarre,

I am a Certified Nurse Midwife and Nurse Practitioner currently in private practice in Anchorage. The current difficulty that Nurse-Midwives are having obtaining reasonably priced Professional Liability Insurance has become a great concern to me this past year (my current insurance expires 10/1/86). Many physicians and Nurse-Midwives have already "gone bare" (without insurance) but I am hesitant to follow this lead because I feel that I owe my clients reasonable recourse should a birth "accident" for which I am legally liable occur.

However, I may have no other option. The American College of Nurse-Midwives is currently promoting legislation on the National level that may assist us in forming our own insurance company. It is not realistic, I think to depend on this solution during the next year or two.

You can help me, and other nurse-r divies in Alaska by supporting a State Amendment allowing Nurse-Midwives independent coverage under MICA. (It seems that MICA is in favor of this move.)

Nurse-midwives play an active role in providing health care for a wide spectrum of the Alaska population, including Alaska Native clients and the poor. We currently practice statewide, doing a significant number of deliveries at the various hospitals around the state.

Thank you for your attention to this matter.

Sincerely,

Lynn Smith Robertson, MRM

Robertson
3440 Rosella St.
Anchorage, AK 99504

CSHB 522(L&C): "An Act relating to payment of insurance premiums, cancellation of insurance policies, and the provision of medical malpractice insurance for nurse midwives; and providing for an effective date."

The Department favors passage of this proposed legislation.

Sections 1 & 2 of this bill would provide that, for purposes of receiving payment of an insurance premium, a broker is legally considered an agent of the insurance company. This legislation does not give the broker the ability to bind coverage with an insurance company that has not given him that authority. The insurance agent has a direct contractual relationship with the insurance company in which it places business. The effect of this is that when an agent receives premium from an insured, it is the same as though the insurance company had received the funds, even if the insurance company never receives the money.

The situation with a broker is not as clear. The broker by definition represents the insured, not the insurance company. While it is possible that a legal argument could be made to attempt to treat the broker as an agent of the insurer, this must be done in court on a case by case basis.

During the past two years, it has become clear that a similar law is needed for brokers. Two large broker insolvencies have occurred where insureds have paid the broker who in turn has failed to remit those funds to the insurer resulting in cancellation of coverage for nonpayment of premium. The insured then suffers a loss of coverage and monies. In most cases, the insured person did not know in which capacity the producer was acting, let alone understand and appreciate the distinction.

Sections 3 - 10 and 14 address cancellation of commercial insurance policies. Under existing law, there is a limitation on cancellation of personal lines policies such as automobile insurance policies and homeowners insurance policies. A part of this law also establishes minimum amounts of time when a cancellation is issued and requires a reason for any cancellation or nonrenewal of coverage. These minimums and reasons do not currently apply to business or commercial policies.

This proposal will provide for a 60 day notice time that a company must give when it cancels an insurance policy, other than personal lines of insurance. It also requires that any unearned premium shall be returned prior to the effective date of cancellation unless cancellation is for nonpayment of premium.

The need for this request arises from the tightening insurance markets. As companies are reducing the amount of insurance they are writing, they are eliminating entire classes of insurance from their book of business and they are often cancelling policies of those insureds who have suffered losses. The Alaskan consumer needs adequate notice in order to be able to find an alternate insurer in the event that his policy is cancelled.

To accomplish this, it is necessary to substantially rearrange AS 21.36.210 - AS 21.36.310. The changes do not revise the impact of those sections of law on personal lines. It does make some of those provisions applicable to business or commercial insurance.

We recommend that the notice period for a nonpayment cancellation remain unchanged. This means removing the change made on page 3, line 24. and changing the 20 days on page 4, line 4 to read 10 days. The logic for this is that a person about to receive notice for nonpayment generally knows that payment has not been made. 10 days is adequate.

Sections 11 - 13 provide that nurse midwives can purchase medical malpractice insurance from the Medical Indemnity Corporation of Alaska (MICA). This will provide an additional market that the nurse midwife would have available if required. We would recommend that Section 11 on page 7, lines 9 - 29 be omitted. There are 1200 physicians licensed by the state who are conceivably eligible for coverage from MICA while there are only 21 licensed nurse midwives who might be eligible for coverage from MICA with passage of this bill. That is not a reasonable basis for changing the makeup of the governing board of MICA. This feature should remain unchanged.



Loren H. Lounsbury, Commissioner
Department of Commerce & Economic
Development

Date: _____

4/14/86



John L. George, Director of Insurance

Date: _____

4/14/86

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: _____

REQUEST

Bill/Resolution No.: C5HB 522 (L&C)
 Title: Relating to payment of premiums, cancellation of policies, and medical malpractice insurance for nurse midwives
 Sponsor: Labor & Commerce
 Requester: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Development
 BRU: Insurance
 Components: Public Protection

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS: Attach a separate page if necessary.

Prepared by: John L. George, Director
 Division: Division of Insurance

Phone: 465-2515
 Date: April 14, 1986

Approved by Commissioner: [Signature]
 Agency: Commerce and Economic Development

Date: April 14, 1986

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Ford
4/7/86

Original sponsors: Sund, Koponen,
and Gruenberg

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 522 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to payment of insurance premiums,
7 cancellation of insurance policies, and the provision
8 of medical malpractice insurance for nurse midwives;
9 and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA: .

11 * Section 1. AS 21.27.200(a) is amended read:

12 (a) Except as provided in (c) of this section,

13 (1) a [A] broker, as such, is not an agent or other
14 representative of an insurer, and does not have power as a broker to
15 bind the insurer upon any risk or with reference to any insurance
16 contract; and

17 (2) nothing [. NOTHING] in this section is intended to
18 alter the common law of agency as applied to transactions under this
19 title.

20 * Sec. 2. AS 21.27.200 is amended by adding a new subsection to read:

21 (c) For purposes of determining an insured's entitlement to
22 coverage, a premium paid to the broker is considered to be received by
23 the insurer, if the payment to the broker is designated for specific
24 coverage from a specifically named insurer and is supported by compe-
25 tent evidence.

26 * Sec. 3. AS 21.36.210(a) is amended to read:

27 (a) An insurer may not exercise its right to cancel a policy of
28 personal [AN] automobile insurance [POLICY] except for the following
29 reasons:

1 (1) nonpayment of premium; or
2 (2) the driver's license or motor vehicle registration of
3 either the named insured or of an operator who resides : the same
4 household as the named insured or who customarily operates a motor
5 vehicle insured under the policy has been under suspension or revoca-
6 tion during the policy period or, if the policy is a renewal, during
7 its policy period or the 180 days immediately preceding its effective
8 date.

9 * Sec. 4. AS 21.36.210(d) is amended to read:

10 (d) This section does not apply to

11 (1) the failure to renew a policy, except as to coverage in
12 force for less than 12 months;

13 (2) a policy that has been in effect less than 60 days at
14 the time notice of cancellation is mailed or delivered by the insurer,
15 unless it is a renewal policy;

16 (3) a policy issued under an automobile assigned risk plan
17 or automobile insurance plan;

18 (4) a policy insuring more than four motor vehicles;

19 (5) a policy covering the operation of a garage; automobile
20 sales agency, repair shop, or service station; or public parking
21 place;

22 (6) a policy providing insurance only on an excess basis;

23 (7) any other contract providing insurance to the named
24 insured, even though the contract may incidentally provide insurance
25 with respect to motor vehicles.

26 * Sec. 5. AS 21.36.210(f) is amended to read:

27 (f) An [NOTWITHSTANDING (e) OF THIS SECTION, AN] insurer may not
28 exercise its right to cancel a policy of personal insurance other than
29 personal automobile insurance, except for the following reasons [THE

1 TYPE DESCRIBED IN (e) OF THIS SECTION IF ONE OF THE FOLLOWING
2 CONDITIONS OR CIRCUMSTANCES ARISES]:

3 (1) nonpayment of premiums, including nonpayment of addi-
4 tional premiums, calculated in accordance with the current rating
5 manual of the insurer, justified by a physical change in the insured
6 property or a change in its occupancy or use;

7 (2) conviction of the insured of a crime having as one of
8 its necessary elements an act increasing a hazard insured against;

9 (3) discovery of fraud or material misrepresentation made
10 by the insured or a representative of the insured in obtaining the
11 insurance or by the insured in pursuing a claim under the policy;

12 (4) discovery of a grossly negligent act or omission by the
13 insured that substantially increases the hazards insured against; or

14 (5) physical changes in the insured property that result in
15 the property becoming uninsurable.

16 * Sec. 6. AS 21.36.220 is amended to read:

17 Sec. 21.36.220. NOTICE OF CANCELLATION. An insurer may not
18 exercise its right to cancel a personal insurance policy unless a
19 written notice of cancellation is mailed or delivered to the named
20 insured, at the address shown in the policy, at least 60 [20] days
21 before the effective date of cancellation. However, if [, EXCEPT THAT
22 WHEN] cancellation is for nonpayment of premium, the notice must
23 [SHALL] be mailed or delivered to the named insured at the address
24 shown in the policy at least 20 [10] days before the effective date of
25 cancellation, and must [SHALL] include or be accompanied by a
26 statement of the reason for the cancellation. [THIS SECTION DOES NOT
27 APPLY TO THE FAILURE TO RENEW A POLICY, EXCEPT AS TO COVERAGE IN FORCE
28 FOR LESS THAN 12 MONTHS.]

29 * Sec. 7. AS 21.36.220 is amended by adding new subsections to read:

1 (b) An insurer may not exercise its right to cancel a policy of
2 business or commercial insurance unless a written notice of cancella-
3 tion is mailed or delivered to the named insured, at the address shown
4 in the policy, and to the agent or broker of record, at least 60 days
5 before the effective date of cancellation. However, if cancellation
6 is for nonpayment of premium, the notice must be mailed or delivered
7 to the named insured at the address shown in the policy and to the
8 agent or broker of record at least 20 days before the effective date
9 of cancellation, and must include or be accompanied by a statement of
10 the reason for the cancellation.

11 (c) If an insurer cancels a policy under (b) of this section, it
12 shall return any unearned premium to the agent or broker of record or
13 directly to the insured or premium finance company, if applicable,
14 before the effective date of cancellation, except that, if cancell-
15 ation is for nonpayment of premium, any unearned premium must be
16 returned within 45 days after the notice of cancellation is given.

17 * Sec. 8. AS 21.36.240 is amended to read:

18 Sec. 21.36.240. FAILURE TO RENEW. An insurer may not fail to
19 renew a personal insurance policy in force for less than 12 months.
20 An insurer may not fail to renew a policy [IN FORCE FOR 12 MONTHS OR
21 MORE] unless a written notice of nonrenewal is mailed or delivered to
22 the named insured, at the address shown in the policy, at least 20
23 days for a personal insurance policy, and at least 45 days for a
24 business or commercial insurance policy, before the expiration date of
25 the policy[,] or of the anniversary date of a policy written for a
26 term longer than one year or with no fixed expiration date. This
27 section does not apply

28 (1) if the insurer has in good faith manifested in any way
29 its willingness to renew;

1 (2) in case of nonpayment of premium for the expiring
2 policy; or

3 (3) if the insured fails to pay the premium as required by
4 the insurer for renewal.

5 * Sec. 9. AS 21.36.250 is amended to read:

6 Sec. 21.36.250. NOTICE OF ELIGIBILITY. When a policy of automo-
7 bile liability insurance is cancelled, other than for nonpayment of
8 premium, or is not renewed in accordance with [FOR FAILURE TO RENEW A
9 POLICY OF AUTOMOBILE LIABILITY INSURANCE TO WHICH] AS 21.36.240 [AP-
10 PLIES], the insurer shall notify the named insured of possible eligi-
11 bility for automobile insurance through the automobile assigned risk
12 plan, or automobile insurance plan. The notification must [SHALL]
13 accompany or be included in the notice of cancellation or nonrenewal
14 required by AS 21.36.220 [AS 21.36.230] and 21.36.240.

15 * Sec. 10. AS 21.36.310 is amended to read:

16 Sec. 21.36.310. DEFINITIONS. In AS 21.36.210 - 21.36.310

17 (1) "business or commercial insurance" means insurance
18 other than personal insurance, life insurance, disability insurance,
19 title insurance, or an annuity contract;

20 (2) "nonpayment of premium" means failure of the named
21 insured to discharge when due any obligations of the named insured in
22 connection with the payment of premium on a policy, or any installment
23 of the premium, whether the premium is payable directly to the insurer
24 or its agent or indirectly under any premium finance plan or extension
25 of credit;

26 (3) "personal automobile insurance" means insurance not
27 related to business or commercial activities, covering [(2) "POLICY"
28 MEANS AN INSURANCE POLICY COVERING THE RISKS AND EXPOSURES LISTED IN
29 AS 21.36.210(e) OR AN AUTOMOBILE POLICY THAT INCLUDES] automobile

1 liability, uninsured/underinsured motorists [COVERAGE, UNINSURED
2 MOTORIST COVERAGE], automobile medical payments [COVERAGE], or automo-
3 bile physical damage [COVERAGE], that is delivered or issued for
4 delivery in this state [INSURING AS THE NAMED INSURED, ONE INDIVIDUAL
5 OR HUSBAND AND WIFE RESIDENT OF THE SAME HOUSEHOLD], and under which
6 the insured vehicles are of the following types only:

7 (A) a motor vehicle of the private passenger or sta-
8 tion wagon type that is not used as a public or livery convey-
9 ance, nor rented to others; or

10 (B) any other four-wheel motor vehicle with a load
11 capacity of 1,500 pounds or less that is not used in the occupa-
12 tion, profession, or business of the insured, nor used as a
13 public or livery conveyance, nor rented to others;

14 (4) "personal insurance" does not include an annuity con-
15 tract or a policy of life insurance, disability insurance, or title
16 insurance; the term means personal automobile insurance, or insurance
17 covering

18 (A) loss of or damage to real property that is used
19 predominantly for residential purposes and that does not consist
20 of more than four dwelling units;

21 (B) loss of or damage to personal property, including
22 personal effects, household furniture, fixtures and equipment
23 located in not more than four dwelling units; or

24 (C) legal liability of natural persons for loss of,
25 damage to or injury to persons or property if the insurance does
26 not cover liability arising from or in connection with business
27 or commercial activities;

28 (5) [(3)] "renewal" or "renew" means

29 (A) the issuance and delivery by an insurer of a

1 policy replacing at the end of the policy period a policy
2 previously issued and delivered by the same insurer,

3 (B) the issuance and delivery of a certificate or
4 notice extending the term of a policy beyond its policy period or
5 term, or

6 (C) the extension of the term of a policy beyond its
7 policy period or term under a provision for extending the policy
8 by payment of a continuation premium.

9 * Sec. 11. AS 21.88.030(a) is amended to read:

10 (a) The corporation shall exercise its powers through a board of
11 governors which is appointed by the governor of the state and con-
12 firmed by the legislature. Members of the board of governors shall be
13 Alaska residents as follows:

14 (1) three [FOUR] physicians licensed in the state and
15 engaged in private practice in the state; no more than two of the
16 physicians shall practice or live in a municipality having a popula-
17 tion of more than 100,000, and two of the physicians must be indem-
18 nified against loss by reason of liability for an act or omission in
19 the delivery of professional health care by the Medical Indemnity
20 Corporation of Alaska;

21 (2) one nurse midwife licensed in the state and engaged in
22 private practice in the state;

23 (3) an administrator or senior executive officer employed
24 by a hospital licensed in the state;

25 (4) [(3)] two professionals from the insurance industry
26 who are authorized or licensed to do business in the state;

27 (5) [(4)] two persons who are not health care providers or
28 financially interested in the field of health care or representatives
29 of the insurance industry.

1 * Sec. 12. AS 21.88.050 is amended to read:

2 Sec. 21.88.050. POWERS AND DUTIES OF THE CORPORATION. (a) The
3 corporation shall

4 (1) in the form approved by the director, issue to all
5 physicians, nurse midwives, and hospitals who are found to be accept-
6 able risks under standards developed under (5) of this subsection, and
7 who pay the premiums for it, a contract or contracts indemnifying
8 physicians, nurse midwives, and hospitals and their employees who are
9 health care providers against loss by reason of liability for covered
10 claims for an act or omission in the delivery of professional health
11 care in this state, and agreeing to tender on behalf of the physi-
12 cians, nurse midwives, and hospitals and their employees who are
13 health care providers a defense to a covered claim in a proceeding
14 brought under AS 09.55.530 - 09.55.560; the limits of liability for
15 policies issued by the corporation shall be approved by the director;
16 the contract shall cover the defense against but need not indemnify
17 liability for punitive damages arising from a covered claim; at the
18 option of the corporation, if approved by the director, and for an
19 additional premium the contract may cover claims against the physi-
20 cian, nurse midwife, or hospital that arise out of professional ser-
21 vices performed by the physician, nurse midwife, or hospital for any
22 period before the contract is issued, except that coverage will not be
23 provided for a claim already filed or of which the physician, nurse
24 midwife, or hospital had or reasonably should have had notice at the
25 time the retroactive insurance was purchased;

26 (2) charge a premium for the protection provided by the
27 contracts issued by the corporation which shall be determined by the
28 board of governors in accordance with AS 21.88.080 and subject to the
29 approval of the director;

1 (3) comply with or be subject to AS 21.06.090, 21.06.120.
2 21.06.140, 21.06.160, 21.06.250, AS 21.09.180 - 21.09.200, 21.09.250,
3 21.09.280, AS 21.12.020(b)-(e), AS 21.13, AS 21.21, AS 21.24 and AS
4 21.36; and shall be exempt from participation as a member insurer in
5 the Alaska Insurance Guaranty Corporation;

6 (4) carry out the obligations of the contracts issued by
7 the corporation by defending all covered claims made against insured
8 health care providers and by paying all liabilities which are finally
9 adjudicated against the insured health care provider or which may in
10 the opinion of the corporation reasonably be expected to be finally
11 adjudicated against the health care provider to the extent of the
12 contract obligation;

13 (5) establish standards for the acceptability of risks; in
14 establishing these standards the corporation may exclude an applicant
15 for insurance based on individual risk selection factors, but may not
16 exclude an applicant based only on the classification of the appli-
17 cant.

18 (b) The corporation may

19 (1) employ or retain persons, individual or corporate, to
20 discharge its obligations and pay reasonable compensation for these
21 services; employees of the corporation are not considered state em-
22 ployees;

23 (2) negotiate for and procure reinsurance from private
24 casualty insurers or reinsurers for any and all liability incurred by
25 contracts issued by it;

26 (3) provide coverage to insureds for other hazards custom-
27 arily included in medical malpractice insurance policies when there is
28 a finding by the director that this coverage is not available to
29 insureds of the Medical Indemnity Corporation of Alaska in the private

1 insurance market at a competitive price;

2 (4) borrow or advance funds necessary to carry out the
3 purposes of the corporation;

4 (5) negotiate and become a party to those contracts as are
5 necessary to carry out the purposes of the corporation;

6 (6) sue or be sued in the name of the corporation;

7 (7) provide risk management advice and services to hospi-
8 tals;

9 (8) negotiate and become a party to contracts for manage-
10 ment services for the corporation;

11 (9) perform all other acts necessary and proper to carry
12 out the duties of the corporation;

13 (10) in a form approved by the director and for an addition-
14 al premium determined under AS 21.88.080, issue endorsements which
15 provide indemnity for claims not yet reported which arise out of
16 professional services rendered during a period of continuous coverage
17 under the originally issued contract, to physicians, nurse midwives,
18 and hospitals who pay the premium for it and who are terminating their
19 original covered claims contract with the corporation for a period of
20 not less than one year;

21 (11) subject to approval by the director, extend coverage
22 to a person, entity, or facility that renders health care services in
23 the state under the supervision of a physician.

24 * Sec. 13. AS 21.88.900 is amended by adding a new paragraph to read:

25 (17) "nurse midwife" means a registered professional nurse
26 who is certified as an advanced nurse practitioner under AS 08.68.-
27 410(1) and authorized to practice as a nurse midwife under regulations
28 adopted in accordance with AS 08.68.

29 * Sec. 14. AS 21.36.210(c), 21.36.230, and 21.36.300 are repealed.

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* Sec. 15. This Act takes effect immediately in accordance with AS 01.10.070(c).

Alaska State Legislature

House of Representatives



Labor and Commerce Committee

TO: Members, House Labor & Commerce Committee
FR: Sid Billingslea, Committee Aide
DT: 4/6/86
RE: What we're doing in CSHB522 An Act relating to payment of insurance premiums, cancellation of insurance policies, and the provision of medical malpractice insurance for nurse midwives; and providing for an effective date.

SEC. 1, Amends AS21.27.200(a) says a broker is not an agent for the insurer, except as provided in (c), and that nothing in this section is intended to change common law on agency.

SEC. 2 adds the new subsection (c) referred to above. This makes the broker the agent of the insurer for the purposes of collecting premiums. This was important to the division, and does give the insured more latitude in premium payments, since when they're received by the broker, they're considered received by the company. This section also prevents rip-offs from unscrupulous brokers who pocket premiums, while the insurance company cancels the insured's policy for nonpayment. According to the division, this section could save many thousands of dollars a year to the consumers.

SEC. 3 Amends AS 21.36.210(a) Insurers can't cancel personal car insurance policies unless premiums aren't paid, or if insured is suspended or revoked license.

SEC.4 .210(d) Amended things section does not apply to

SEC.5 .210(f) Amended insurers can't cancel personal insurance other than car insurance unless:

1. premiums not paid
2. insured convicted of crime affecting insurability
3. fraud
4. grossly negligent omission or act by insured which increases hazards against insured or
5. physical changes in property rendering it uninsurable

SEC.6 .220 Amended Notice of Cancellation

Provides for a 60 day notice instead of a 20 day notice for personal insurance policies. If cancellation is for nonpayment of premium, notice must be mailed or delivered to insured 20 days in advance. Must be accompanied by statement of reason for cancellation.

SEC.7 220 Amended notice of cancellation for businesses is same as for personal policies, except (c) insurers shall return unearned premiums within 45 days after notice of cancellation given.

SEC.8 .240 Amended Failure to Renew. Insurer can't fail to renew a policy in force for less than 12 months. Insurers can't fail to renew other policies unless written notice of nonrenewal is sent 20 days in advance for personal and 45 days for commercial policies. This section doesn't apply if insurer in good faith was willing to renew, if premiums weren't paid on expiring policy, or if premiums weren't paid as required for renewal.

SEC. 9 .250 Notice of Eligibility If a car insurance policy is cancelled for reasons other than nonpayment of premiums, insurers shall notify policy holder of possible eligibility in an assigned risk plan. Notification must accompany the notice of cancellation.

SEC. 10 Definitions

SEC. 11-14 Amends MICA statute by putting a certified nurse midwife on the MICA board, and allowing nurse midwives to be a separate entity for coverage. Effect is to make midwife premiums independent from OB-GYN premiums. Would make one more provider available to midwives, fostering competition, which should have an effect on rates.

SEC. 15 Effective date is immediate.

AMERICAN COLLEGE OF NURSE-MIDWIVES,
ALASKA CHAPTER

March 9, 1986

MAR 12 1986

Senator Bettye Fahrenkamp
Chairman, Senate HESS Committee
Alaska State Legislature
Pouch U (MS 3100)
Juneau, Alaska 99811

Dear Senator Fahrenkamp:

Thanks for your continuing interest in nurse-midwifery. I am following various bills and hearings regarding liability insurance and am hopeful that some form of relief will be considered this session.

I met with Art Stanford at MICA on February 24th. I am pleased to report that he is willing to support nurse-midwives in their request for consideration as providers eligible for MICA coverage.

MICA's Underwriting Committee based their decision regarding high (\$6,461 - 21,477) premium rates for certified nurse-midwives on risk 'exposure' and hypothetical 'loss risk'. A national audit done for the American College of Nurse-Midwives reviewed suit data and loss figures for the past 10 years. Monetary losses to the insurance companies involved were minimal for the 65 cases reviewed.

Mr. Stanford indicated that this information will be very helpful to the Underwriting Committee. He also indicated that it is likely that our premium rates will be lower than those on the current premium schedule.

His favorable reception to certified nurse-midwives and his willingness to work with us, gives the Alaskan ACNM membership new hope regarding liability insurance availability and affordability.

I am requesting that you consider introduction of your draft amendment dated 10-3-85, entitled "An Act relating to providing for medical malpractice insurance for nurse midwives." I believe there is still time to introduce new legislation if it is done at the committee level. If I am incorrect, please advise me of any alternatives.

I will be awaiting your reply.

Sincerely,

Marilyn Pierce-Bulger

**Marilyn Pierce-Bulger, RN, MN, CNM
Chairman, Alaska Chapter, ACNM
Box 9416 Hiland Road
Eagle River, Alaska 99577
wk 265-9245 hm 694-6676**

Enclosure (1)

AMERICAN COLLEGE OF NURSE-MIDWIVES,
ALASKA CHAPTER

March 9, 1986

Mr. Art Stanford, Manager ✓
Medical Indemnity Corporation of Alaska
Alaska USA Office Building
4000 Credit Union Drive, Suite 525
Anchorage, Alaska 99503

Dave McGuire

Dear Mr. Stanford:

As a follow-up of our meeting at your office on February 24th, I am writing to request that MICA consider the inclusion of certified nurse-midwives (CNM's) as a provider group eligible for liability insurance coverage with your corporation.

I understand that MICA will probably need an amendment to AS 21.88.030, 050, 080, and 900. Senator Bettye Fahrenkamp has written draft legislation and I will be contacting her to determine the best way to set the amendment process in motion.

I know that certified nurse-midwives may currently obtain liability insurance through MICA if they are an employee of a MICA covered physician. However, there are certified nurse-midwives who work with physicians who do not carry their own liability insurance. In addition, Alaska statutes that cover certified nurse-midwives as Advanced Nurse Practitioners, do not require the CNM to be an employee of a physician. The certified nurse-midwife must show proof of her collaboration/referral process. As an example, the law would allow a group of certified nurse-midwives to form their own business. Nurse-midwives need their own affordable liability coverage.

In the past, the American College of Nurse-Midwives (ACNM) has held a master group liability policy for its members wishing coverage. Mutual Fire, Marine and Inland Insurance Company of Philadelphia terminated that policy as of July 1, 1985 due to problems with the 'reinsurance' industry. (See attached Fact Sheet: Nurse-Midwives and the Malpractice Insurance Crisis.)

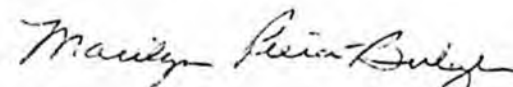
In our favor is our good liability record. I have included a copy of an audit done for the ACNM which covers the past 10 years of suit data. I am hoping that you will find this information useful when you discuss our request with the Underwriting Committee. (See enclosed).

As discussed on February 24th, we do not feel that placing us in Class 3 on the premium schedule is appropriate. Our national data supports our historical losses as 'minimal' and we would argue that our risk 'exposure' is less than that of Family Practice physicians attending births. Nurse-midwives in private practice provide care for strictly 'normal', low risk women and refer at the earliest sign of a problem outside their scope of practice. Nurse-midwifery clients report their care as highly satisfying and personal.

There are 28 certified nurse-midwives in Alaska, with 14 involved in clinical practices. Over 1,000 Alaskan infants were born in 1985 with CNM help. We want to continue to serve the Alaskan childbearing consumer and need affordable, reliable liability insurance coverage to accomplish that goal.

Please feel free to contact me for any questions. I would be happy to meet with the Underwriting Committee if necessary. I will keep you informed of our legislative progress.

Sincerely,



Marilyn Pierce-Bulger, RN, MN, CNM
Chairman, Alaska Chapter, ACNM
Box 9416 Hiland Road
Eagle River, Alaska 99577
wk 265-9245 hm 694-6076

Enclosures

cc: Senator Bettye Fahrenkamp
Chairman, Senate HESS Committee