



LAWS OF ALASKA

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Chapter No.
39

AN ACT

Relating to insurance covering an insured who is a victim of domestic violence and requiring certain disclosures by an insurer.

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

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Approved by the Governor: May 22, 1997

Actual Effective Date: August 20, 1997

AN ACT

1 Relating to insurance covering an insured who is a victim of domestic violence and requiring
2 certain disclosures by an insurer.

3

4 * **Section 1.** AS 21.36 is amended by adding new sections to read:

5 **Sec. 21.36.430. Insurance for domestic violence victims; records.** (a) An
6 insurer offering insurance in this state may not (1) refuse to issue or renew insurance
7 coverage; (2) cancel an existing policy of insurance; (3) deny a covered claim; or (4)
8 increase the premium on an insurance policy if the refusal, cancellation, denial, or
9 increase results only from the fact that the person was a victim of domestic violence.

10 (b) The provisions of (a) of this section may not prevent an insurer from
11 underwriting or rating

12 (1) for a medical condition, including a medical condition resulting
13 from domestic violence, in the same manner as it would for a person who is not a
14 victim of domestic violence; or

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1 (2) a person based on known frequency of losses in the same manner
2 the insurer would for a person who is not a victim of domestic violence.

3 **Sec. 21.36.440. Required disclosure for failure to provide coverage to an**
4 **applicant.** An insurer who refuses to provide insurance coverage to an applicant
5 initially applying for insurance shall

6 (1) inform the applicant that the applicant has a right to know the
7 reason for the refusal; and

8 (2) upon receipt of a written request from the applicant, provide a
9 written explanation of the refusal to the applicant.

10 **Sec. 21.36.450. Definition.** In AS 21.36.430 - 21.36.440, "insurer" includes

11 (1) an insurer, as defined in AS 21.90.900;

12 (2) a group health plan, as defined in 29 U.S.C. 1167(1) (Employee
13 Retirement Income Security Act of 1974);

14 (3) a health maintenance organization, as defined in AS 21.86.900;

15 (4) a hospital service corporation or medical service corporation, as
16 defined in AS 21.87.330;

17 (5) the Comprehensive Health Insurance Association, established in
18 AS 21.55.010; and

19 (6) an entity offering a service benefit plan, as referred to in 42 U.S.C.
20 1396g-1.

21 * **Sec. 2.** This Act applies to a policy of insurance that is entered into or renewed on or
22 after the effective date of this Act.