

CS FOR HOUSE BILL NO. 1(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/7/11

Referred: Rules

Sponsor(s): REPRESENTATIVES GATTO AND LYNN, Peggy Wilson, Johnson, Dick

A BILL

FOR AN ACT ENTITLED

1 **"An Act stating a public policy that allows a person to accept or decline any offered**
2 **mode of securing health care services."**

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

4 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 SHORT TITLE. This Act may be known as the Alaska Health Freedom Act.

7 *** Sec. 2.** AS 44.99 is amended by adding a new section to article 2 to read:

8 **Sec. 44.99.130. Declaration of policy for securing health care services.** (a) It
9 is the policy of the State of Alaska that a person has the right to accept or decline any
10 offered mode of obtaining health care services without penalty or threat of penalty.

11 (b) The policy stated in (a) of this section

12 (1) does not apply to health care services provided or required by the
13 state, a political subdivision of the state, or a court of the state; and

14 (2) may not impair a contract right that provides health care services.

1 (c) In this section,

2 (1) "health care provider" has the meaning given in AS 09.55.560 and
3 includes a direct-entry midwife certified under AS 08.65.

4 (2) "health care services" means a service or treatment, or provision of
5 a product, for the care of a physical or mental disease, illness, injury, defect, or
6 condition, or to maintain or improve physical or mental health;

7 (3) "mode of obtaining" means directly purchasing health care services
8 from a health care provider or purchasing insurance to cover the cost of health care
9 services;

10 (4) "penalty" means a fine, tax, surcharge, fee, or other monetary
11 charge; however, liability for the cost of health care services is not a penalty.