

HOUSE BILL NO. 57

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE WRIGHT

Introduced: 2/3/23

Referred: Labor and Commerce, Health and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to review organizations and permitting an emergency medical services
2 provider to establish a review organization; and relating to patient records."

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

4 * **Section 1.** AS 18.23.070(1) is amended to read:

5 (1) "administrative staff" means the staff of **an agency, institution, or**
6 **organization that provides health care** [A HOSPITAL OR CLINIC];

7 * **Sec. 2.** AS 18.23.070(3) is amended to read:

8 (3) "health care provider" means an acupuncturist licensed under
9 AS 08.06; a chiropractor licensed under AS 08.20; a dental hygienist licensed under
10 AS 08.32; a dentist licensed under AS 08.36; **a physician or podiatrist licensed**
11 **under AS 08.64;** a nurse licensed under AS 08.68; a dispensing optician licensed
12 under AS 08.71; an optometrist licensed under AS 08.72; a pharmacist licensed under
13 AS 08.80; a physical therapist or occupational therapist licensed under AS 08.84; [A
14 PHYSICIAN LICENSED UNDER AS 08.64; A PODIATRIST;] a psychologist and a

1 psychological associate licensed under AS 08.86; **an organization or government**
 2 **agency that is certified or licensed to provide emergency medical services under**
 3 **AS 18.08**; a hospital as defined in AS 47.32.900, including a governmentally owned
 4 or operated hospital; and an employee of a health care provider acting within the
 5 course and scope of employment;

6 * **Sec. 3.** AS 18.23.070(5) is amended to read:

7 (5) "review organization" means

8 (A) a hospital governing body or a committee whose
 9 membership is limited to health care providers and administrative staff, except
 10 where otherwise provided for by state or federal law, and that is established by
 11 a hospital, by a clinic, by one or more state or local associations of health care
 12 providers, by an organization of health care providers from a particular area or
 13 medical institution, **by an organization or government agency that provides**
 14 **emergency medical services**, or by a professional standards review
 15 organization established under 42 U.S.C. 1320c-1, to gather and review
 16 information relating to the care and treatment of patients for the purposes of

17 (i) evaluating and improving the quality of health care
 18 rendered in the area or medical institution;

19 (ii) reducing morbidity or mortality;

20 (iii) obtaining and disseminating statistics and
 21 information relative to the treatment and prevention of diseases, illness,
 22 and injuries;

23 (iv) developing and publishing guidelines showing the
 24 norms of health care in the area or medical institution;

25 (v) developing and publishing guidelines designed to
 26 keep the cost of health care within reasonable bounds;

27 (vi) reviewing the quality or cost of health care services
 28 provided to enrollees of health maintenance organizations;

29 (vii) acting as a professional standards review
 30 organization under 42 U.S.C. 1320c;

31 (viii) reviewing, ruling on, or advising on controversies,

1 disputes, or questions between a health insurance carrier or health
2 maintenance organization and one or more of its insured or enrollees;
3 between a professional licensing board, acting under its powers of
4 discipline or license revocation or suspension, and a health care
5 provider licensed by it when the matter is referred to a review
6 organization by the professional licensing board; between a health care
7 provider and the provider's patients concerning diagnosis, treatment, or
8 care, or a charge or fee; between a health care provider and a health
9 insurance carrier or health maintenance organization concerning a
10 charge or fee for health care services provided to an insured or enrollee;
11 or between a health care provider or the provider's patients and the
12 federal or a state or local government, or an agency of the federal or a
13 state or local government;

14 (ix) acting on the recommendation of a credential
15 review committee or a grievance committee;

16 (B) the State Medical Board established by AS 08.64.010;

17 (C) a committee established by the commissioner of health and
18 approved by the State Medical Board to review public health issues regarding
19 morbidity or mortality; at least 75 percent of the committee members must be
20 health care providers;

21 (D) the Joint Commission on Accreditation of Healthcare
22 Organizations (JCAHO).