

HOUSE BILL NO. 178

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GARA, Holmes, Kawasaki, Harris, Gardner, Tuck, Gruenberg

Introduced: 3/12/09

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act providing for state incentive payments to physicians who provide qualified**
2 **services to Medicare recipients and services to patients for which there is no charge to**
3 **the patient; having the short title of the 'Doctors for Seniors Act'; and providing for an**
4 **effective date."**

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

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

8 SHORT TITLE. This Act may be known as the Doctors for Seniors Act.

9 * **Sec. 2.** AS 47.05 is amended by adding a new section to read:

10 **Sec. 47.05.052. State incentive payments to physicians.** (a) To the extent
11 funding is available, the department shall make annual payments in an amount
12 specified in (c) of this section to a physician licensed in the state under AS 08.64 who
13 provides qualified services as described in (b) of this section.

14 (b) To qualify for payment under this section, a physician must provide

1 qualified services as described in this subsection in at least 200 office or outpatient
 2 visits with patients who are enrolled in the Medicare program under 42 U.S.C. 1395 or
 3 with patients at no charge to the patient or any third party or governmental entity. At
 4 each visit, the physician must provide

5 (1) a new patient with evaluation and care management services that
 6 include a history, examination, and medical decision-making through face-to-face
 7 contact with the patient or the patient's family that is consistent with current
 8 procedural terminology billing codes for those services; or

9 (2) an established patient with evaluation and care management
 10 services that include a history, examination, and medical decision-making, or at least
 11 two of those components, with or without face-to-face contact with the patient or the
 12 patient's family that is consistent with current procedural terminology billing codes for
 13 those services.

14 (c) The annual payment under (a) of this section is

15 (1) \$6,000 for not fewer than 200 and not more than 399 qualified
 16 visits;

17 (2) \$14,000 for not fewer than 400 and not more than 499 qualified
 18 visits;

19 (3) \$20,000 for not fewer than 500 and not more than 599 qualified
 20 visits;

21 (4) \$24,000 for not fewer than 600 and not more than 699 qualified
 22 visits;

23 (5) \$28,000 for not fewer than 700 qualified visits.

24 (d) A physician seeking a payment under this section shall apply on a form
 25 approved by the department and provide proof of eligibility for the payment, as the
 26 department requires.

27 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 28 read:

29 **CROSS-REFERENCE TO BILLING CODES.** The current procedural terminology
 30 (CPT) billing codes referenced in AS 47.05.052(b)(1) and (2), added by sec. 2 of this Act, are
 31 codes 99201 - 99205 and codes 99211 - 99215, as the codes existed on February 1, 2009 and

1 as adopted by the United States Department of Health and Human Services, Centers for
2 Medicare and Medicaid Services, under 42 C.F.R. 414.40(a).

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

5 FEDERAL APPROVAL, CONTINGENT EFFECT, AND NOTIFICATION. (a) The
6 Department of Health and Social Services shall apply to the federal government for an
7 applicable waiver, pilot project, or medically underserved population or area designation to
8 give effect to the incentives for services provided to a Medicare recipient under AS 47.05.052,
9 enacted by sec. 2 of this Act.

10 (b) The incentives for services provided to a Medicare recipient under AS 47.05.052,
11 enacted by sec. 2 of this Act, take effect only if the federal government approves a waiver, a
12 pilot project, or a medically underserved population or area designation that authorizes the
13 incentives for services provided to a Medicare recipient in AS 47.05.052.

14 (c) If the federal government approves a waiver, a pilot project, or a medically
15 underserved population or area designation that accommodates the incentives for services
16 provided to a Medicare recipient in AS 47.05.052, the commissioner of health and social
17 services shall immediately notify the revisor of statutes in writing.

18 * **Sec. 5.** If, under sec. 4 of this Act, the incentives for services provided to a Medicare
19 recipient in AS 47.05.052, enacted by sec. 2 of this Act, take effect, they take effect on the
20 date that the revisor of statutes receives notification from the commissioner of health and
21 social services of federal approval of a waiver, a pilot project, or a medically underserved
22 population or area designation that authorizes the incentives for services provided to a
23 Medicare recipient in AS 47.05.052.

24 * **Sec. 6.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).