

SENATE BILL NO. 364

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST

Introduced: 4/18/02

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to medical services under the state Medicaid program."**

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

3 * **Section 1.** AS 47.07 is amended by adding a new section to read:

4 **Sec. 47.07.068. Payment for abortions.** (a) Except as otherwise required by
5 federal law, the department may pay for an abortion under this chapter only if the
6 abortion is a medically necessary abortion or is an abortion to terminate a pregnancy
7 resulting from rape or incest. The department shall adopt regulations regarding
8 payment for abortions in conformity with this section and applicable federal
9 regulations.

10 (b) A claim for payment for a medically necessary abortion that is submitted
11 to the department must be accompanied by a written certification by the treating
12 physician that the abortion is medically necessary to treat a serious

13 (1) adverse physical condition of a pregnant woman that

14 (A) either is caused by the pregnancy or would be significantly
15 aggravated by continuation of the pregnancy; and

1 (B) would seriously endanger the physical health of the woman
2 if the pregnancy were not terminated by an abortion; or

3 (2) psychological illness of a pregnant woman who requires
4 medication for treatment of the illness if

5 (A) the medication required to treat the illness would be highly
6 dangerous to the fetus; and

7 (B) the health of the woman would be endangered if the
8 medication was not taken during the pregnancy.

9 (c) In this section,

10 (1) "abortion" has the meaning given in AS 18.16.090;

11 (2) "incest" means an act that would constitute the crime of incest
12 under AS 11.41.450;

13 (3) "rape" means an act that would constitute a crime of sexual assault
14 or sexual abuse of a minor under AS 11.41.410 - 11.41.440.