

March 31, 2026

Representative Andrew Gray, Chair
House Judiciary Committee
State Capitol Room 118
Juneau AK, 99801

RE: AHHA Opposes HB 64 Committee Substitute on Anonymous Deliveries

Dear Representative Gray,

For over 70 years, the Alaska Hospital & Healthcare Association (AHHA) has served as a non-profit trade association representing Alaska's hospitals, nursing homes, and a growing number of healthcare partners across the continuum of care. AHHA members play an invaluable role, both as community providers and essential employers, in cities, towns, and villages across Alaska.

AHHA appreciates your ongoing commitment to protecting the safety and wellbeing of birthing individuals. While we support HB 64, we have concerns about the newly added language concerning anonymous deliveries. Federal privacy laws (HIPAA) and emergency medical treatment laws (EMTALA) already provide the protections sought in the draft CS and we believe the proposed committee substitute is unnecessary and may create administrative confusion through a new, onerous compliance process.

Existing HIPAA and confidentiality regulations already allow for a protected experience that ensures maternal anonymity. Under current protocols for surrendering an infant (under 21 days old) at a hospital, a pregnant person is not required to provide their name or medical history at the time of delivery, and they may anonymously surrender the infant upon birth. If total anonymity is desired, the hospital accepts the infant as a patient and creates a new, unlinked medical chart. This mirrors the process used when an infant is surrendered to an Emergency Room or other safe surrender site.

Under EMTALA, hospitals are legally obligated to treat a patient in active labor regardless of whether they provide identification. While hospitals attempt to identify patients to ensure clinical safety and access to medical history, a patient can request to be marked as "confidential." This status prevents outside callers or visitors from locating the patient while maintaining internal record integrity for safe clinical care.

While the birth remains part of the mother's medical record, if requested, the hospital can mark the encounter as confidential. Regarding birth certificates, we did not receive a response from



the Bureau of Vital Statistics as to whether a mother's name is required on a birth certificate, especially in safe surrender situations.

In summary, because existing confidentiality laws and federal protections already facilitate anonymous deliveries and safe surrenders, we oppose this committee substitute for HB 64.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Kosin'.

Jared C. Kosin, JD, MBA
President & CEO