

**HOUSE BILL NO. 90**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SANDERS, Dyson, Cowdery, Kohring

Introduced: 1/27/97

Referred: Health, Education and Social Services, State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act establishing a woman's right to know certain medical facts related to  
2 the woman's safety before an abortion is performed."

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

4 \* **Section 1.** AS 18.16 is amended by adding a new section to read:

5 **Sec. 18.16.020. A woman's right to know.** (a) Except in the case of a  
6 medical emergency, a physician may not perform an abortion unless, before beginning  
7 the abortion procedure or treatment, the attending physician receives from the patient  
8 written certification that the attending physician has orally

9 (1) described to the patient the nature of the procedure or treatment that  
10 will be used for the abortion;

11 (2) described to the patient alternative procedures or treatments that  
12 could be used for the abortion;

13 (3) informed the patient of the probable gestational age of the unborn  
14 child at the time the abortion is to be performed;

1 (4) described the medical risks associated with carrying the child to  
2 term;

3 (5) informed the patient of risks that may be associated with the  
4 procedure or treatment to be used and alternative procedures or treatments described  
5 under (2) of this subsection, including risks

6 (A) associated with anesthesia if anesthesia might be used;

7 (B) associated with medication that may be involved;

8 (C) of infection, including the possibility of chronic infection  
9 that may lead to the inability of the patient to bear a child in the future;

10 (D) of bleeding that may result from the procedure or treatment;

11 (E) of a perforated uterus;

12 (6) informed the patient that the procedure or treatment might not be  
13 effective in terminating the pregnancy.

14 (b) In this section, "medical emergency" means a condition that, on the basis  
15 of the attending physician's good faith clinical judgment, so complicates the medical  
16 condition of a pregnant woman as to necessitate the immediate abortion of the  
17 woman's pregnancy to avert the woman's death or for which a delay will create  
18 serious risk of substantial and irreversible impairment of a major bodily function.

19 (c) A physician who violates this section is guilty of a class A misdemeanor  
20 and is subject to disciplinary sanctions under AS 08.64.326 for unprofessional conduct.