

**HOUSE BILL NO. 372**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DYSON

Introduced: 1/30/98

Referred: Health, Education and Social Services, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act placing limits on prescribing and providing a contraceptive drug or  
2 device to a minor."

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

4 \* **Section 1.** AS 25.20.025(a) is amended to read:

5 (a) Except as prohibited under AS 18.16.010(a)(3) and (d) of this section,

6 (1) a minor who is living apart from the minor's parents or legal  
7 guardian and who is managing the minor's own financial affairs, regardless of the  
8 source or extent of income, may give consent for medical and dental services for the  
9 minor;

10 (2) a minor may give consent for medical and dental services if the  
11 parent or legal guardian of the minor cannot be contacted or, if contacted, is unwilling  
12 either to grant or withhold consent; however, where the parent or legal guardian cannot  
13 be contacted or, if contacted, is unwilling either to grant or to withhold consent, the  
14 provider of medical or dental services shall counsel the minor keeping in mind not

1 only the valid interests of the minor but also the valid interests of the parent or  
2 guardian and the family unit as best the provider presumes them;

3 (3) a minor who is the parent of a child may give consent to medical  
4 and dental services for the minor or the child;

5 (4) a minor may give consent for diagnosis [, PREVENTION] or  
6 treatment of pregnancy, and for diagnosis and treatment of venereal disease;

7 (5) the parent or guardian of the minor is relieved of all financial  
8 obligation to the provider of the service under this section.

9 \* **Sec. 2.** AS 25.20.025 is amended by adding a new subsection to read:

10 (d) A person who has the authority to prescribe contraceptive drugs or devices  
11 may not prescribe a contraceptive drug or device for a minor and may not provide a  
12 contraceptive drug or device to a minor that is available only by prescription unless

13 (1) the minor is married or has had the disabilities of minority removed  
14 under AS 09.55.590;

15 (2) the minor has the written consent of one of the minor's custodial  
16 parents or the minor's custodial legal guardian to receive the drug or device;

17 (3) a court has ordered that the minor may receive the drug or device;  
18 or

19 (4) the person with the authority to prescribe the drug or device has  
20 given actual written notice to a custodial parent or custodial legal guardian of the  
21 minor, notifying the parent or legal guardian of the intent to prescribe or provide the  
22 drug or device, at least five business days before prescribing or providing the drug or  
23 device.