

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 372**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE DYSON**

**Introduced: 3/18/98**

**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),

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 treatment of  
6 pregnancy, and for diagnosis and treatment of venereal disease; **however, a person**  
7 **who has the authority to prescribe contraceptive drugs or devices may not**  
8 **prescribe a contraceptive drug or device for a minor and may not provide a**  
9 **contraceptive drug or device to a minor that is available only by prescription**  
10 **unless, before prescribing or providing the drug or device, the person has made**  
11 **a good faith effort to obtain relevant medical records for the minor and the**  
12 **minor's family and has given actual written notice to a custodial parent or**  
13 **custodial legal guardian of the minor, notifying the parent or legal guardian of**  
14 **the intent to prescribe or provide the drug or device; the person who is requested**  
15 **by a minor to prescribe the drug or device may not issue the prescription until**  
16 **at least five days after the day of the minor's request;**

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