



LAWS OF ALASKA

2002

Source

CSHB 160(JUD)

Chapter No.

141

AN ACT

Requiring the reporting of induced terminations of pregnancies.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: July 5, 2002

Actual Effective Date: October 3, 2002

AN ACT

1 Requiring the reporting of induced terminations of pregnancies.

2

3 * **Section 1.** AS 18.50 is amended by adding a new section to read:

4 **Sec. 18.50.245. Report of induced termination of pregnancy.** (a) A
5 hospital, clinic, or other institution where an induced termination of pregnancy is
6 performed in the state shall submit a report directly to the state registrar within 30 days
7 after the induced termination is completed. The report may not contain the name of
8 the patient whose pregnancy was terminated but must contain the information required
9 by the state registrar in regulations adopted under this section.

10 (b) When an induced termination of pregnancy is performed by a physician
11 outside of a hospital, clinic, or other institution, the physician shall submit the report
12 required under this section within 30 days after the induced termination of pregnancy
13 is completed.

14 (c) For purposes of this section,

15 (1) an induced termination of pregnancy is considered to be performed

Chapter 141

1 where the act interrupting the pregnancy is performed even if the resultant expulsion
2 of the product of conception occurs elsewhere;

3 (2) prescription of a medicine by a physician who knows that the
4 medicine will be taken with the intention of inducing termination of a pregnancy is
5 considered to be the act that interrupts the pregnancy even if the medicine is taken
6 outside of the physician's presence; and

7 (3) an induced termination of pregnancy is considered to be completed
8 when the product of conception is extracted or expelled.

9 (d) The state registrar shall annually prepare a statistical report based on the
10 reports received under this section. The report must include the types of information
11 required under (c) of this section, except that the statistical report may not identify or
12 give information that can be used to identify the name of any physician who
13 performed an induced termination of pregnancy, the name of any facility in which an
14 induced termination of pregnancy occurred, or the name of the municipality or
15 community in which the induced termination of pregnancy occurred. The data
16 gathered from the reports received under this section may only be presented in
17 aggregate statistics, not individually, so that specific individuals may not be identified.
18 After preparation of the annual report, the state registrar shall destroy the reports
19 received under this section.

20 (e) The state registrar shall adopt regulations to implement this section. The
21 regulations that establish the information that will be required in a report of an induced
22 termination of pregnancy must require information substantially similar to the
23 information required under the United States Standard Report of Induced Termination
24 of Pregnancy, as published by the National Center for Health Statistics, Centers for
25 Disease Control and Prevention, United States Department of Health and Human
26 Services, in April 1998, as part of DHHS Publication No. (PHS) 98-1117.

27 * **Sec. 2.** AS 18.50.310(a) is amended to read:

28 (a) To protect the integrity of vital statistics records, to ensure their proper use,
29 and to ensure the efficient and proper administration of the vital statistics system, it is
30 unlawful for a person to permit inspection of [,] or to disclose information contained in
31 vital statistics records, or to copy or issue a copy of all or part of a record, except as

1 provided by this section or as authorized by regulations issued under this chapter.
2 Regulations issued under this chapter may not authorize inspection, disclosure,
3 or copying of all or part of any report or record received under AS 18.50.245,
4 except that the statistical report prepared under AS 18.50.245(d) may be copied
5 and distributed.

6 * Sec. 3. AS 18.50.310(b) is amended to read:

7 (b) The bureau may permit the use of data contained in vital statistics records,
8 other than reports of induced terminations of pregnancy, for research purposes.

9 * Sec. 4. AS 18.50.310(e) is amended to read:

10 (e) The department may by regulation provide for the release of information,
11 other than information in reports of induced terminations of pregnancy, to
12 authorized representatives of organizations or foundations that counsel the next of kin
13 of victims of sudden infant death syndrome.

14 * Sec. 5. AS 18.50.350 is amended to read:

15 **Sec. 18.50.350. Duty to furnish information.** A person having knowledge of
16 the facts shall furnish the information the person possesses regarding a birth, death,
17 fetal death, induced termination of pregnancy, marriage, or divorce, upon demand
18 of the state registrar.

19 * Sec. 6. AS 18.50.950(8) is amended to read:

20 (8) "fetal death" means death before the complete expulsion or
21 extraction from its mother of a product of human conception, irrespective of the
22 duration of pregnancy, where

23 (A) [AND] the death is indicated by the fact that, after
24 expulsion or extraction, the fetus does not breathe or show evidence of life
25 such as beating of the heart, pulsation of the umbilical cord, or definite
26 movement of voluntary muscles; and

27 (B) the expulsion or extraction is not caused by an induced
28 termination of pregnancy;

29 * Sec. 7. AS 18.50.950(18) is amended to read:

30 (18) "vital statistics" means records of birth, death, fetal death,
31 induced termination of pregnancy, marriage, divorce, adoption, and related data.

Chapter 141

1 * **Sec. 8.** AS 18.50.950 is amended by adding a new paragraph to read:

2 (19) "induced termination of pregnancy" means the purposeful
3 interruption of an intrauterine pregnancy with the intention other than to produce a
4 live-born infant, and that does not result in a live birth, except that "induced
5 termination of pregnancy" does not include management of prolonged retention of
6 products of conception following fetal death;