

HOUSE BILL NO. 160

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES COGHILL, Dyson, James, Kott , Wilson, Meyer

Introduced: 3/9/01

Referred: Health, Education and Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the reporting of induced terminations of pregnancies."**

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

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 three
7 days after the induced termination is completed. The report may not contain the name
8 of the patient whose pregnancy was terminated but must contain the information
9 required 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 three days after the induced termination of
13 pregnancy is completed.

14 (c) For purposes of this section,

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

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 (e) of this section. The data gathered from the reports received under
12 this section may only be presented in aggregate statistics, not individually, so that
13 specific individuals may not be identified. After preparation of the annual report, the
14 state registrar shall destroy the reports received under this section.

15 (e) The state registrar shall adopt regulations to implement this section. The
16 regulations that establish the information that will be required in a report of an induced
17 termination of pregnancy must require information

18 (1) substantially similar to the information required under the United
19 States Standard Report of Induced Termination of Pregnancy, as published by the
20 National Center for Health Statistics, Centers for Disease Control and Prevention,
21 United States Department of Health and Human Services, in April 1998, as part of
22 DHHS Publication No. (PHS) 98-1117; and

23 (2) regarding the following:

24 (A) medical complications, if any, that resulted from the
25 termination;

26 (B) whether a fetal anomaly was discernible and, if so, the
27 type;

28 (C) the reason given by the pregnant woman for the
29 termination, such as

30 (i) economic reasons;

31 (ii) social circumstances;

1 (iii) risk to maternal physical health;

2 (iv) risk to maternal mental health;

3 (v) risk to fetal health;

4 (vi) the pregnancy was the result of rape;

5 (vii) the pregnancy was the result of incest;

6 (D) whether the termination was classified as therapeutic; and

7 (E) whether the termination procedure was paid for through the

8 medical assistance program established under AS 47.07.

9 * **Sec. 2.** AS 18.50.310(b) is amended to read:

10 (b) The bureau may permit the use of data contained in vital statistics records,

11 **other than reports of induced terminations of pregnancy,** for research purposes.

12 * **Sec. 3.** AS 18.50.310(e) is amended to read:

13 (e) The department may by regulation provide for the release of information,

14 **other than information in reports of induced terminations of pregnancy,** to

15 authorized representatives of organizations or foundations that counsel the next of kin

16 of victims of sudden infant death syndrome.

17 * **Sec. 4.** AS 18.50.350 is amended to read:

18 **Sec. 18.50.350. Duty to furnish information.** A person having knowledge of

19 the facts shall furnish the information the person possesses regarding a birth, death,

20 fetal death, **induced termination of pregnancy,** marriage, or divorce, upon demand

21 of the state registrar.

22 * **Sec. 5.** AS 18.50.950(8) is amended to read:

23 (8) "fetal death" means death before the complete expulsion or

24 extraction from its mother of a product of human conception, irrespective of the

25 duration of pregnancy, **where**

26 **(A)** [AND] the death is indicated by the fact that, after

27 expulsion or extraction, the fetus does not breathe or show evidence of life

28 such as beating of the heart, pulsation of the umbilical cord, or definite

29 movement of voluntary muscles; **and**

30 **(B) the expulsion or extraction is not caused by an induced**

31 **termination of pregnancy;**

1 * **Sec. 6.** AS 18.50.950(18) is amended to read:

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

4 * **Sec. 7.** AS 18.50.950 is amended by adding a new paragraph to read:

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