

**ALASKA STATE LEGISLATURE  
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES  
STANDING COMMITTEE**

March 8, 2001  
3:02 p.m.

**MEMBERS PRESENT**

Representative Fred Dyson, Chair  
Representative Peggy Wilson, Vice Chair  
Representative John Coghill  
Representative Gary Stevens  
Representative Vic Kohring  
Representative Sharon Cissna

**MEMBERS ABSENT**

Representative Reggie Joule

**COMMITTEE CALENDAR**

HOUSE BILL NO. 43

"An Act relating to reimbursement of certain student loans; and providing for an effective date."

- MOVED CSHB 43(HES) OUT OF COMMITTEE

HOUSE BILL NO. 112

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

- HEARD AND HELD

**PREVIOUS ACTION**

BILL: HB 43

SHORT TITLE: STUDENT LOAN FORGIVENESS

SPONSOR(S): REPRESENTATIVE(S) GREEN

Jrn-Date	Jrn-Page		Action
01/10/01	0049	(H)	READ THE FIRST TIME - REFERRALS
01/10/01	0049	(H)	EDU, HES, FIN
01/12/01	0073	(H)	COSPONSOR(S): KERTTULA
02/07/01		(H)	EDU AT 8:00 AM CAPITOL 106

02/07/01		(H)	Heard & Held
02/07/01		(H)	MINUTE(EDU)
02/14/01		(H)	EDU AT 8:00 AM CAPITOL 106
02/14/01		(H)	Moved CSHB 43(EDU) Out of Committee
02/14/01		(H)	MINUTE(EDU)
02/16/01	0341	(H)	EDU RPT CS(EDU) NT 2DP 5NR
02/16/01	0341	(H)	DP: GREEN, WILSON; NR: STEVENS, JOULE, GUESS, PORTER, BUNDE
02/16/01	0341	(H)	FN1: (EED)
03/08/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 112

SHORT TITLE: ABORTION: INFORMED CONSENT; INFORMATION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

Jrn-Date	Jrn-Page		Action
02/05/01	0241	(H)	READ THE FIRST TIME - REFERRALS
02/05/01	0241	(H)	HES, JUD, FIN
02/05/01	0241	(H)	REFERRED TO HES
03/08/01		(H)	HES AT 3:00 PM CAPITOL 106

**WITNESS REGISTER**

KEVIN JARDELL, Staff  
to Representative Joe Green  
Alaska State Legislature  
Capitol Building, Room 403  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on HB 43 on behalf of the  
sponsor.

DANIELLE SERINO, Staff  
to Representative John Coghill  
Alaska State Legislature  
Capitol Building, Room 102  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on HB 112.

GERAN TARR  
PO Box 1233  
Girdwood, Alaska 99587

POSITION STATEMENT: Testified in opposition to HB 112.

DEATRICH SITCHLER

520 Glacier Bay Circle  
Anchorage, Alaska 99508  
POSITION STATEMENT: Testified in opposition to HB 112.

EILEEN BECKER, Director  
Homer Crisis Pregnancy Center  
PO Box 2  
Homer Alaska. 99603  
POSITION STATEMENT: Testified in support of HB 112.

JACKIE BLOOD  
PO Box 1143  
Delta Junction, Alaska 99737  
POSITION STATEMENT: Testified in support of HB 112.

HUGH FLETCHER  
(No address provided)  
Anchorage, Alaska 99501  
POSITION STATEMENT: Testified in opposition to HB 112.

KAREN VOSBERGH, Executive Director  
Alaska Right to Life  
PO Box 1847  
Palmer, Alaska 99645  
POSITION STATEMENT: Testified in support of HB 112.

AMY BOLLENBACH  
PO Box 3429  
Homer, Alaska 99603  
POSITION STATEMENT: Testified in opposition to HB 112.

JENNIFER RUDINGER, Executive Director  
Alaska Civil Liberties Union  
PO Box 201844  
Anchorage, Alaska 99520  
POSITION STATEMENT: Testified in opposition to HB 112.

KAREN PEARSON, Director  
Division of Public Health  
Department of Health & Social Services  
PO Box 110610  
Juneau, Alaska 99811  
POSITION STATEMENT: Testified on HB 112.

PETER NAKAMURA, M.D.  
2346 Ka-See-An Drive  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on HB 112.

RENEE GAYHART

PO BOX 22237

Juneau Alaska 99811

POSITION STATEMENT: Through written testimony read by Jenny Persell (ph), testified in opposition to HB 112.

AMBER CEFFALIO

Juneau Pro-Choice Coalition

PO Box 21872

Juneau, Alaska 99811

POSITION STATEMENT: Testified in opposition to HB 112.

### **ACTION NARRATIVE**

TAPE 01-24, SIDE A

Number 0001

CHAIR FRED DYSON called the House Health, Education and Social Services Standing Committee meeting to order at 3:02 p.m. Representatives Dyson, Coghill, Stevens, Kohring, and Cissna were present at the call to order. Representative Wilson arrived as the meeting was in progress. [The minutes for the Confirmation Hearing: University of Alaska Board of Regents are found in the 3:45 p.m. minutes for the same date. The minutes for the Helping Kids Succeed/AK Initiative for Community Engagement overview are found in the 4:40 p.m. minutes for the same date.]

### HB 43-STUDENT LOAN FORGIVENESS

CHAIR DYSON announced that the committee would hear testimony on HOUSE BILL NO. 43, "An Act relating to reimbursement of certain student loans; and providing for an effective date."

Number 0238

KEVIN JARDELL, Staff to Representative Joe Green, Alaska State Legislature, came forth to testify on HB 43 on behalf of the sponsor. He stated that Representative Green identified a problem with the number of teachers in the state, specifically a shortage of teachers in certain geographical areas and in certain subject matter areas. He said the goal of HB 43 is to increase the number of students studying in these subject matter areas where there is a shortage and encourage students upon graduation to begin their teaching careers in the geographically

underserved areas. He remarked that HB 43 accomplishes these two goals by implementing a targeted loan forgiveness program that builds upon and encourages students to meet these two special needs.

Number 0346

MR. JARDELL stated that in order for teachers to be eligible for the loan forgiveness program they must meet four criteria. First, they must have received a teaching certificate, degree, or endorsement from an in-state college or university. Second, they must be employed in a public elementary or secondary school. Third, they must be employed within a geographically underserved area or in a subject matter area that has a shortage of teachers.

CHAIR DYSON asked whether somebody would be required to get a certificate through an Alaskan university if he or she went to a school outside of Alaska.

MR. JARDELL answered that [he or she would]. He said that the district, not the university, issues the endorsement for the certificate. If a student obtained the credit hours necessary for that endorsement in-state, then he or she would qualify for the program.

Number 0450

CHAIR DYSON asked if, currently, a credentialed person from out of state has to take additional courses in Alaska in order to get an Alaska teaching certificate.

MR. JARDELL replied that he understands that the person does [have to take additional courses in Alaska]. He continued, stating that the fourth requirement is that the person has to be in compliance with loan requirements under AS 14.43.120, meaning he or she cannot be in default on his or her loan. He clarified that [these four requirements] are for individual eligibility, and that there are additional requirements for the loan itself to be forgiven. He stated that, after looking at the history of loan forgiveness programs, Representative Green is allowing only loans taken after 60 credit hours to be eligible for the forgiveness programs. Mr. Jardell said the reason for this is because, in the past, there have been high default rates for the forgiveness program. The thought was that people enter the first two years [of school] with the belief that they will never have to repay their loan; they never complete a degree program

and end up having to pay a debt that they never intended to pay back. He remarked that the graduation success rate is dramatically improved by requiring [loan forgiveness] only after the first 60 credit hours.

CHAIR DYSON asked who decides what areas are geographically underserved, and which [subject areas] qualify as having a shortage of teachers.

Number 0600

MR. JARDELL answered that the legislation [provides for] the Postsecondary Education Commission to make that decision. He stated that it was believed that giving the commission latitude in trying to ascertain what areas have a shortage would provide the best opportunity for the program to work.

CHAIR DYSON asked if [the Postsecondary Education Commission] has agreed to have that role.

MR. JARDELL responded that it is his understanding, in discussing the bill with them, that they believe they could handle the obligation through implementing regulations.

CHAIR DYSON asked if [the Postsecondary Education Commission] had asked for a budget increment to take on that responsibility.

MR. JARDELL answered that they asked the legislation to clarify how this would be funded. He stated that it is a GF (general fund) funding mechanism, and if there is no appropriation, there will not be a program.

Number 0695

CHAIR DYSON asked if the [present] fiscal note covers administration and the cost of forgiving loans.

MR. JARDELL replied that he didn't know, but that it was his understanding that it does [include all costs]. He continued, stating that all loans taken after the [first] 60 credit hours, if the student meets the individual eligibility requirements, can be forgiven up to 100 percent over a five-year payout.

Number 0779

REPRESENTATIVE CISSNA remarked that there are many incentives [with this program], which are needed in order to make sure

people go to Alaskan institutions and stay in Alaska. She stated that she thinks it is necessary, in the [geographically] underserved areas, for people to stay and teach there, because the chances of their staying are much greater than having someone come from Southeast and go up to Barrow. She asked if there was any thought of making an extra incentive for someone to go home [to the geographically underserved areas] to teach.

MR. JARDELL answered that it was discussed, but it is difficult to come up with incentives and utilize the resources that are best available. He stated that Representative Green believes that encouraging the in-state participation would persuade people to stay longer than five years. He pointed out that there is a program available to rural students who want to teach through which their loans are forgiven 100 percent.

Number 0900

REPRESENTATIVE STEVENS asked how [the loan forgiveness] is prorated if someone has accumulated 55 credits and is in the middle of a semester in which he or she is taking another 15 [credits].

MR. JARDELL responded that the intention of the legislation is that [the loan forgiveness] would be prorated. If a person has 55 credit hours and takes a loan out for an additional 15 credit hours, the commission and the Alaska Student Loan Corporation would run the program in a manner allowing a portion of that loan, on a prorated basis, to be forgiven.

CHAIR DYSON stated that in hearing testimony on a previous bill, the committee realized that the term "schoolteacher" may not include certificated librarians and counselors. He asked if [HB 43] intends for all the certificated personnel in the facility be included.

MR. JARDELL answered that it is his understanding that in any area where a person would receive a teaching certificate, whether it be a librarian or counselor, and there is a shortage he or she would be eligible for the forgiveness program.

Number 1028

There was a motion to adopt CSHB 43(EDU), 22-LS0225\S, as the working document, but it was already before the committee.]

CHAIR DYSON asked Mr. Jardell if he would object if the committee offered an amendment [22-LS0225\S.1, Ford, 3/8.01], which read:

Page 2, following line 25:

Insert a new subsection to read:

"(f) In this section, "teacher" includes a librarian, counselor, or other person who possesses a valid teacher certificate issued under AS 14.20.020."

MR. JARDELL replied that he has seen the amendment and believes that it would be consistent with what [Representative Green] hopes to accomplish with the legislation.

Number 1088

REPRESENTATIVE KOHRING made a motion to adopt the forgoing as Amendment 1. There being no objection, Amendment 1 was adopted.

Number 1115

REPRESENTATIVE STEVENS asked Diane Barrans whether [Amendment 1] will have any impact on the fiscal note.

DIANE BARRANS, Executive Director, Postsecondary Education Commission, Department of Education and Early Development, came forth and answered that it may have an impact on the fiscal note. She stated that it is her understanding that the assumptions used to develop the cost in the fiscal note accompanying this version of the bill relied just on those classroom employees.

CHAIR DYSON remarked that it might [affect the fiscal note], depending on whether there is a shortage of counselors or librarians somewhere, but it is not known for sure.

MS. BARRANS answered that he was correct.

REPRESENTATIVE STEVENS asked if principals would be a part of this as well.

CHAIR DYSON answered, from his reading [of the bill], that they would if there were a shortage of them.

Number 1220

MS. BARRANS stated that, specific to the fiscal note, there are no administrative costs incorporated. The [Postsecondary Education Commission] administers a number of small programs, which she believes to not have a significant direct cost associated with them. She said it would be her determination that this would fall under that category. She added that she believes the [Postsecondary Education Commission] is working with the commissioner of Education and [Department of] Early Development and could come up with criteria for shortage by regulation.

REPRESENTATIVE STEVENS asked if [the Postsecondary Education Commission] is prepared to prorate [the loan].

MS. BARRANS replied that the intent of the sponsor is not clear in the bill. She understands that the individual would not receive a benefit for the term prior to passing over the 60-credit threshold. She explained that trying to prorate that sort of benefit for the loan for a single term would be administratively cumbersome for the [Postsecondary Education Commission's] and for the institution that's certifying the level of credits. She stated that she believes the basic structure of the bill is built around the typical 15-credit full-time course load, and doesn't think that there would be a great number of students that this would pertain to.

Number 1328

REPRESENTATIVE STEVENS remarked that he understands it would be the first semester after the completion of 60 credits.

CHAIR DYSON asked Mr. Jardell if he wanted to try to solve this problem or let it stand as it is.

MR. JARDELL responded that when [the bill] was written, the idea was to come up with a methodology that didn't produce the high default rates that forgiveness programs have had in the past. He stated that 60 credit hours was what Representative Green had chosen, and looking at it again it does seem to indicate that someone would have to have completed the 60 hours before taking out the loan. He stated that he believes leaving the bill as it stands would accomplish the overall goal without the administrative problems that seem to be indicated.

REPRESENTATIVE KOHRING asked why the legislation only applies to public schools.

MR. JARDELL replied that because of the limited resources available, Representative Green hoped to restrict it to the public education system, where there seems to be the most problems with shortages.

Number 1413

CHAIR DYSON called for an at-ease at 3:26 p.m. The meeting was called back to order at 3:27 p.m.

CHAIR DYSON asked Ms. Barrans whether there would be problems if there was an amendment that took out the word "public" on page 1, line 9.

Number 1437

MS. BARRANS replied that private school teachers are a sort of unknown quantity, and she is unsure of where to look to see how many there are in order to estimate a fiscal impact.

CHAIR DYSON asked [if she is also unsure of where to look] to certify that there is a shortage.

MS. BARRANS answered yes.

Number 1475

REPRESENTATIVE KOHRING made a motion to adopt a conceptual amendment striking the word "public" anywhere it is used in the bill. There being no objection, Amendment 2 was adopted.

REPRESENTATIVE STEVENS remarked that the point of [HB 43] was to target both geographically underserved areas and subject areas. On [page 1], line 10, it says, "is employed within a geographically underserved area of the state or is employed in the state to teach a subject for which there is a shortage of teachers". He stated that it has been amended so the word teacher includes librarians, counselors, or other persons who possess a valid teaching certificate, and he understands there could be shortage [of these professions] geographically. He asked if this would affect the subject areas where there are teacher shortages, because it doesn't seem as if librarians, counselors, and other persons fit in to this [category].

Number 1589

CHAIR DYSON called for an at-ease at 3:31 p.m. He called the meeting back to order at 3:38 p.m.

Number 1591

CHAIR DYSON offered a conceptual amendment on page 1, line 11, after "teachers", to add: "or works in another professional capacity for which a shortage has been identified". There being no objection, Amendment 3 was adopted.

REPRESENTATIVE COGHILL moved to report CSHB 43(EDU) as amended out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 43(HES) was moved from the House Health, Education and Social Services Standing Committee.

Number 1636

CHAIR DYSON called for an at-ease at 3:40 in order to hold the joint meeting with the House Special Committee on Education. [The minutes for the confirmation Hearing: University of Alaska Board of Regents are found in the 3:45 p.m. minutes for the same date.]

CHAIR DYSON called the House Health, Education and Social Services Standing Committee back to order at 3:57 p.m.

HB 112-ABORTION: INFORMED CONSENT; INFORMATION

Number 1638

CHAIR DYSON announced that the committee would hear testimony on HOUSE BILL NO. 112, "An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

REPRESENTATIVE COGHILL remarked that this is one of the hotly debated items in [Alaskan] society right now, surrounding the abortion issue. He stated that this particular [bill] does not circle around the debate as far as whether abortion is or isn't [accepted], but is to get the best possible information to somebody who is considering [having an abortion]. He stated:

It is a decision. Certainly, there's a choice involved. Our society has agreed that there is; I disagree with that as a matter of policy. But the

fact is we're there. So I introduced this bill just to say, "Let's go ahead and get some information about social services, about what the gestational period is, get some graphic material ... so that people have information to read."

Number 1730

DANIELLE SERINO, Staff to Representative John Coghill, Alaska State Legislature, came forth to testify on HB 112. She stated:

HB 112 focuses on Alaska's current informed-consent-before-abortion provision. Since 1970, Alaska has recognized that abortion is unique in comparison to other types of medical surgeries and thus necessitated a separate informed-consent standard. Alaska's current provision substantially lacks in content and also has not been updated since 1973.

HB 112 seeks to elaborate on this provision and elevate it to statute. It is not the intent of this bill, in any form, to hamper or hinder access to abortions in this state, or to insinuate that physicians are currently providing inadequate information to their patients. Currently in Alaska statutes the only requirements before an abortion is performed are that the physician be licensed by the state, that the facility be approved by the state, and that the patient have been present for at least 30 days in the state before the procedure is performed.

HB 112 would insert into these statutes an informed-consent provision, along with a higher standard of physician liability, and also ask that the state develop an informational pamphlet designed for pregnant women that lists both abortion and pregnancy resources and options that are available to women in making their choice.

To date, 31 states, including Alaska, have some type of law addressing informed-consent standards for abortion. Alaska's law is unique or different in [the] fact that our provision exists only in administrative regulation and not statute. HB 112 seeks to set a guideline in Alaska statutes for abortion informed consent that is open to physician

flexibility in tailoring the information to the individual needs of the patient.

Number 1811

MS. SERINO summarized:

The intent of this bill is to ensure that women are backed by Alaska law in that they have the direct access they need to the best information possible for their situation without putting a hamper on their access to the procedure itself and in protecting their individual right to privacy and circumstances surrounding that choice.

Number 1919

GERAN TARR came forth to testify in opposition of HB 112. She stated:

I believe the role of a legislature is to work towards enactment of public policy that meets the needs of the people of the state. House Bill 112 does not do this and, in fact, makes a necessary medical procedure more difficult for individuals [who], by law, have a right to it. Unplanned pregnancy is not just an Alaskan problem, but a national problem that has drastic and often negative consequences. As a young woman in the prime of my reproductive years, my reproductive health is of primary concern. I am offended by this bill that implies I do not take this seriously, as it implies that if pregnant, I would not fully research all of my options before making a decision. Whether I would decide to have an abortion or to have a baby, I fully understand the lifelong implications of my decision, as do all women, I believe.

I wonder if the sponsor of this bill has spent the many, many hours discussing the scary prospect of becoming pregnant at a young age when you are in the beginnings of planning your future. I doubt it. This is very much a woman's problem, and we all know no contraception is 100 percent effective. I watched last year, terrified, as a similar bill passed through this same committee. Passage of this bill will not stop abortion. It has always been a part of our human

culture. One should read Eve's Herbs by noted historian John Riddle for more information.

When I return to Anchorage, I will become a part of a training program to become an advocate for children who are in the custody of the state. This program exists because these are children, 1200 of them in the Anchorage area alone, that have no one else. Currently, this program can only meet the needs of a third of these children. This saddens me. I don't believe these children have the emotional capacity to understand why no one wants them. I have also volunteered in domestic violence shelters for several years. Again, in this setting, the severe problems that often follow unplanned pregnancies and unplanned families are underscored.

Number 1996

MS. TARR stated, in conclusion:

... From looking at the fiscal note, I can see that the new requirements have significant cost associated with them, and I would ask that if these funds are available from the general fund, they be used instead to prevent pregnancy through education and by providing contraception to those who want it but may be financially burdened and unable to obtain it.

Number 2041

DEATRICH SITCHLER testified via teleconference in opposition to HB 112. She shared:

At the age of 14 I was diagnosed with hemophilia, a disease affecting the blood. As a result of this condition, it has become medically dangerous for me to carry a pregnancy to term. The loss of blood during the deliver would be potentially fatal to me. I am in a long-term committed relationship, and my partner and I are very careful, but as everyone knows, no form of birth control is 100 percent effective. Were I accidentally to become pregnant, it would be in my best medical interest to terminate the pregnancy rather than carry the pregnancy to term. I strongly feel that this is a decision between me and my partner and the advice and consult of my doctor. The

government has no place in personal, painful choices that I would have to make. Furthermore, my partner and I would find it very painful to have to listen to a litany of alternatives to abortion, alternatives that are not actually in my best interest and that could actually threaten my life before I would be deemed capable of consenting to this abortion.

My biggest objection is to the definition of the medical emergency. I would not fall under the medical necessity exception to HB 112 because having an abortion at that very moment would probably not be a life-saving measure or an emergency situation. Therefore, I would be subject to this extra counseling which would be wholly irrelevant to my individual circumstances. ... This termination of this pregnancy would be to save my own life. Why should these extra hurdles be placed before me that are not placed before any other patient seeking any other medical treatment. I feel that this is a doctor-patient issue and that I should be able to determine, along with my doctor, what is in my best interest.

Number 2122

EILEEN BECKER, Director, Homer Crisis Pregnancy Center, testified via teleconference in favor of HB 112. She stated that she has had quite a bit of counseling experience with women who have been "post-aborted". She said she knows for a fact, firsthand, that had these women had the information included in this bill, they probably would have made a different choice. She remarked that perhaps the choices they would have made would have been a lot better. She stated that she thinks it is time for the State of Alaska to do something that is good for the women of Alaska, good for their future, and good for their decisions that they are going to make.

Number 2171

JACKIE BLOOD testified via teleconference in favor of HB 112. She stated that as a woman, she feels it is essential to provide pregnant women with scientific and objective information concerning the development of their babies. She said it is also very important to provide clear and unbiased information to women about the abortion procedure and what an abortion is actually doing to their babies and their own bodies. She stated that this is not like any other medical procedure because this

involves the welfare of another life. She added that information concerning adoption services should be encouraged. She concluded that this type of information is basic, necessary, and really should not cause any woman or health care provider undue duress.

Number 2255

HUGH FLEISCHER testified via teleconference in opposition to HB 112. He stated:

Rather than expend the government's money and the attorneys' time and energy, it would be best just to simply stipulate that the matter is subject to injunction if you wish to pass it, because it doesn't make any sense. It's a ridiculous bill' and it should be thrown out.

Number 2305

KAREN VOSBERGH, Executive Director, Alaska Right to Life, testified via teleconference in support of HB 112. She stated that anytime there is information that would help women make a fully informed decision, it should go forth. She remarked that when women are considering an abortion, very little factual information is given, and what is given is often false, such as calling [the fetus] pregnancy "tissue", "a bunch of cells" or only a "blob." She noted that these are descriptions that are given at the stage of development when the baby already feels pain, sucks its thumb, and has a heartbeat.

MS. VOSBERGH stated that unfortunately, the abortion industry or the general press is not doing anything to warn women considering abortion about its high rate of risks. She said that several states have, however, implemented right-to-know laws, and she thinks Alaska should follow suit. She mentioned that there are over 100 potential complications associated with abortion, and noted that Great Britain revealed a 27 percent infection rate among women who had aborted, of whom 9.5 percent hemorrhaged enough to require a blood transfusion. She stated that long-term complications usually result from damage to the reproductive system, causing chronic infection, the inability to carry a subsequent pregnancy to term, or even sterility.

TAPE 01-24, SIDE B  
Number 2350

MS. VOSBERGH remarked that according to one Japanese study, 14 percent of women undergoing abortion suffered from recurring miscarriages and there was a 400 percent increase in ectopic pregnancies. She stated that Swedish and Norwegian studies indicate a total of about 5 percent sterility following abortions. She stated that if 1.3 million women are having abortions in this nation and 5 percent are rendered sterile, that's over 50,000 women. She stressed that [women] need to know what could happen to them if they have an abortion. She mentioned that there was a study by California researchers that found the risk of breast cancer doubled among women who aborted their first pregnancy. Another study done by Janet Daling, M.D. of the Fred Hutchinson Cancer Research Center in Seattle, showed a 50-90 percent increase in breast cancer risk for women who had their abortions before the age of 18.

MS. VOSBERGH continued, stating that researchers at the New York State Department of Health used computer records to track every case of breast cancer [in women] under the age of 40 outside of New York City. Short-term pregnancies before the first live birth correlated with a 90 percent higher risk of breast cancer. She added that right now there are studies underway to determine if there is a link between abortion and the high instances of cervical cancer among women who have aborted. She stated that according to a paper to be published shortly by the Royal Statistical Society, the number of cases of malignant breast cancer diagnosed each year will, by 2030, have risen from 30,000 to more than 50,000. She added that Patrick Carol (ph), an actuary who wrote the report, said there is a lot of cancer "in the pipeline." The breast cancer-abortion association shows at least a 50 percent increase, and up to a 150 percent increase, depending on the [woman's] age at the time of the abortion.

MS. VOSBERGH continued, stating according to one study, women who have had abortions are nine times more likely to attempt suicide than are women who have not had abortions. When a woman is considering this "life-changing" decision, she needs information. She stated:

I do not understand why the "pro-aborts" are so against having women know everything there is to know. ... They need to know what that baby's like that they're carrying inside; they need to see what that baby is.

Number 2731

AMY BOLLENBACH testified via teleconference in opposition to HB 112. She stated that she appreciates that HB 112 was improved from the last year's version in objectivity and legality, but she is still opposed to the bill because the purpose appears to slow down and reduce the opportunity to obtain an abortion. She remarked that she personally would have no objection to a pamphlet prepared by the Department of Health & Social Services that would give information, if it were truly objective.

MS. BOLLENBACH remarked that the worst part of HB 112 is Section 4, lines 20-28, describing medical emergencies. She remarked that "medical emergency" is defined in such a narrow way that it would frighten doctors away from performing abortions under medical emergencies and would endanger women's lives. She added that she has had experience teaching at Anchorage Community College in women's studies and other areas; she counseled many young women there, and she is aware that some women who have had abortions are psychologically upset, some who didn't have abortions are psychologically upset, and some are very relieved after they have had abortions. She stressed that it is very hard to get objectivity in this field.

Number 2131

JENNIFER RUDINGER, Executive Director, Alaska Civil Liberties Union, testified via teleconference in opposition to HB 112. She stated that she agrees with Amy Bollenbach that this version is better than the version that was "floating" around last year; however, it still poses hurdles and obstacles that are placed in the paths of women seeking abortions that are not placed in the paths of women who want prenatal care or any other medical treatment. She stated that there are several points where HB 112 is either overbroad or false. First of all, she said, the mandatory extra counseling, referred to in the bill, goes beyond what doctors might consider to be relevant to that patient. She expressed that this is a relationship between a doctor and a patient, and there is nobody better able to decide what is relevant to the patient's circumstance than someone who is trained in medical sciences. She added that the government should not superimpose its judgment.

MS. RUDINGER stated that the bill refers to possible psychological effects that have been associated with having an abortion, but there is no medical evidence that abortion causes psychological injury. She stated that requiring this

information is wrong, false, misleading, and certainly, at the very least, subject to debate.

MS. RUDINGER, referring to the pamphlet, said that every patient is different and what's in the pamphlet might not actually be what's happening to that woman. It's up to the doctor to talk to [the woman] about what's happening, her choices, and what she wants to do. She summarized that requiring that physicians give these lectures to a woman - as opposed to having a nurse, nurse practitioner, or physician's assistant do it - makes the delivery of this health care more expensive and more difficult.

Number 1974

KAREN PEARSON, Director, Division of Public Health, Department of Health & Social Services, came forth to testify on HB 112. She stated:

The Division of Public Health supports what seems to be the intent of HB 112, which is ensuring that all women seeking an abortion are fully informed prior to signing consent for the procedure to be done. Since this is currently required prior to any surgical procedure being performed, and is considered essential by the medical provider community, we question the need for a law specific to the abortion procedure. I believe we are in agreement that each woman seeking an abortion needs information about the physical, emotional, psychological, and medical risks and benefits of both pregnancy and abortion.

MS. PEARSON remarked that this bill seeks to address the need from the abortion perspective by requiring that each woman be provided a detailed and lengthy informational document, and requiring that the physician sign a form indicating that she has read the document, understands it, and understands its relevance to her. She continued:

Some women would find such material informative, but many women are low literacy, illiterate, or have English as a second language; they will not be served well by this process. Many individuals who have reading problems are very skilled at hiding them from those of us that have better skills; thus it can be very difficult for a physician to ascertain, with any degree of certainty, that a woman who has been provided the written materials really was able to read

and comprehend the information that's so important to her.

Number 1904

MS. PEARSON continued, stating:

Providers are accustomed to explaining procedures, risks, and benefits relative to medication options, treatment options of all kinds, and are being able to follow up on questions and concerns as they arise. They are used to tailoring the information given to meet the specific needs of the patient being seen and there are many individual health issues that [a] physician must address with each patient, no matter the procedure to be performed. These needs are not well served when large volumes of written material that may or may not be relevant to that particular individual are required first in order to verify the person is informed. The language, the culture, the age, and numerous other relevant factors, specific to each woman, must be considered when we're deciding how to provide information in the most usable form and manner. And only the provider and the patient, together, can figure out what communication and information needs to take place so that a truly informed decision can be made.

MS. PEARSON stated, in conclusion:

The substantial costs reflected in the fiscal note to compiling the information are significant, and I would offer the resources of the division to work with you to provide information for informed consent, but it is not our belief that this is the best use of the funds to produce information.

Number 1805

PETER NAKAMURA, M.D., came forth to testify on HB 112. He stated that his comments are based on 40 years of practice in health, both as a physician and as a public health specialist. He remarked that there are a certain number of principles used when making decisions, such as honesty or the cost of services. He remarked that he would like to address two [principles]: prevention and the influence of individual beliefs - including cultures and religions - as they impact on the issue of health.

He stated that it is not beneficial to interfere with issues that would prevent the negative consequences that do, very often, come with unintended pregnancies. He stressed that it is necessary to not present barriers that get in the way of unintended pregnancies. The alternative is to wait until [unintended pregnancies] happen and end in treatment, which is not as effective as prevention.

DR. NAKAMURA mentioned that he read an article that said the UN (United Nations) is going to take on a special charge to address the first marriage of children in some countries, many in the Middle East. Many of these cultures allow kids to be married at the age of 12. He stated that the issue, then, is whether to respect that culture and allow that practice to continue or to look at the negative outcomes and say, "Hey, [we'd] better try to stop that." This is an issue the UN has decided to step in on and say it is more important to address the health issues than the special cultural issues. He concluded by stressing that it is important to address the issues of prevention as well as the potential negative impact of special cultural or personal beliefs.

Number 1580

RENEE GAYHART testified through a written statement read by Jenny Persell (ph). Ms. Persell stated:

House Bill 112 would require that health care professionals give information to women who are seeking an abortion in an attempt to prey on their emotions and frighten them so that they won't get an abortion.

This bill would require a health care professional to show a woman pictures of fetuses and to describe the anatomical and physiological characteristics of a fetus. This is a tactic well known to anti-abortion extremists who ignore issues of fetal viability and try to play on the emotions of pregnant women by confronting them with pictures. The bill requires that women be told about adverse psychological effects of having an abortion, yet what about the adverse psychological effects of sitting through this biased counseling for a woman who has been raped or is a victim of incest? Incidentally, there are studies, one done by the World Health Organization, that could

find no medical evidence that abortion causes psychological injury.

Leave the details of informed consent up to the people that understand the health risks of pregnancy and abortion. Abortion is being singled out for these counseling requirements because the sponsors want to outlaw abortion.

The harm from the restrictions the sponsors of this bill wish to impose are felt most by those who have the fewest resources: low-income women, minors, rural women, working women without insurance or sick leave, and battered women.

Many in this legislature talk a great deal of less governmental intrusion, and this would be a good time to practice what you preach. Leave these matters up to women and their doctors.

Number 1553

AMBER CEFFALIO, Juneau Pro-Choice Coalition, came forth to testify in opposition to HB 112, which she thinks would require women to go through biased counseling before getting an abortion. She stated:

I certainly favor health professionals giving patients informed consent before undertaking a medical procedure. To my knowledge, there is no reason to think that women seeking abortions are not given all the information they need to make a reasoned decision.

Legislatures should not be in the business of telling medical professionals what is and is not important to advise a patient. Legislatures should not single out abortion for [the] biased-counseling requirement. Legislatures should be more concerned about women's health and not trying to coerce them into carrying a pregnancy to term by whatever possible means.

Mandatory anti-choice lectures don't give women unbiased, meaningful medical information. Rather, they are told a laundry list of possible and rare complications that may occur from having an abortion.

[HB 112 was held over.]

Number 1488

CHAIR DYSON called for an at-ease at 4:38 p.m. in order to hear the Helping Kids Succeed/AK Initiative for Community Engagement overview. [The minutes for the Helping Kids Succeed/AK Initiative for Community Engagement overview are found in the 4:40 p.m. coversheet for the same date.]