



LAWS OF ALASKA

2004

Source
SB 349

Chapter No.

AN ACT

Requiring licensure of midwifery birth centers; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Requiring licensure of midwifery birth centers; and providing for an effective date.

2

3 * **Section 1.** AS 18.05.040(a) is amended to read:

4 (a) The commissioner shall adopt regulations consistent with existing law for

5 (1) the definition, reporting, and control of diseases of public health
6 significance;

7 (2) cooperation with local boards of health and health officers;

8 (3) protection and promotion of the public health and prevention of
9 disability and mortality;

10 (4) the transportation of dead bodies;

11 (5) carrying out the purposes of this chapter;

12 (6) the conduct of its business and for carrying out the provisions of
13 laws of the United States and the state relating to public health;

1 (7) establishing the divisions and local offices and advisory groups
2 necessary or considered expedient to carry out or assist in carrying out a duty or power
3 assigned to it;

4 (8) the voluntary certification of laboratories to perform diagnostic,
5 quality control, or enforcement analyses or examinations based on recognized or
6 tentative standards of performance relating to analysis and examination of food to
7 include seafood, milk, water, and specimens from human beings submitted by licensed
8 physicians and nurses for analysis;

9 (9) the regulation of quality and purity of commercially compressed
10 oxygen sold for human respiration;

11 (10) the licensure [REGISTRATION] of midwifery birth centers,
12 except that the commissioner may not require the presence of a physician or nurse
13 midwife at a birth resulting from a low risk pregnancy attended by a direct-entry
14 midwife certified in this state.

15 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 CURRENTLY REGISTERED BIRTH CENTERS. (a) A birth center whose
18 registration is valid on June 30, 2004, is considered licensed for purposes of
19 AS 18.05.040(a)(10), as amended by this Act, until six months after the effective date of
20 regulations adopted under sec. 3 of this Act.

21 (b) On and after six months after the effective date of regulations adopted under sec. 3
22 of this Act, the licensure status of a birth center described in (a) of this section is governed by
23 the regulations adopted under AS 18.05.040(a)(10), as amended by sec. 1 of this Act.

24 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 TRANSITIONAL PROVISIONS: REGULATIONS. Notwithstanding sec. 5 of this
27 Act, the Department of Health and Social Services may proceed to adopt regulations
28 necessary to implement the changes made by this Act. The regulations take effect under
29 AS 44.62 (Administrative Procedure Act), but not before July 1, 2004.

30 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

31 * **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect July 1, 2004.