

HOUSE BILL NO. 519

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 2/23/04

Referred: Labor and Commerce, Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring licensure of midwifery birth centers; and providing for an effective**
2 **date."**

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

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

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

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

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

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

11 (4) the transportation of dead bodies;

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

13 (6) the conduct of its business and for carrying out the provisions of
14 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.