

**HOUSE BILL NO. 270**

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

**BY REPRESENTATIVES COGHILL, Wilson, Dahlstrom**

**Introduced: 1/15/08**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to licensing of and other requirements for facilities that provide**  
2 **abortion services; defining 'ambulatory surgical facility'; and relating to state assistance**  
3 **for abortions."**

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

5 **\* Section 1.** AS 18.07.111 is amended by adding a new paragraph to read:

6 (11) "ambulatory surgical facility" has the meaning given to  
7 "ambulatory surgical center" in AS 47.32.900.

8 **\* Sec. 2.** AS 18.16.010(a) is amended to read:

9 (a) An abortion may not be performed in this state unless

10 (1) the abortion is performed by a physician licensed by the State  
11 Medical Board under AS 08.64.200;

12 (2) the abortion is performed in

13 (A) a hospital [OR OTHER FACILITY] approved for the  
14 purpose by the Department of Health and Social Services or a hospital

1 operated by the federal government or an agency of the federal government; **or**  
 2 **(B) a facility licensed as an ambulatory surgical center and**  
 3 **approved for the purpose by the Department of Health and Social**  
 4 **Services;**

5 (3) before an abortion is knowingly performed or induced on an  
 6 unmarried, unemancipated woman under 17 years of age, consent has been given as  
 7 required under AS 18.16.020 or a court has authorized the minor to consent to the  
 8 abortion under AS 18.16.030 and the minor consents; for purposes of enforcing this  
 9 paragraph, there is a rebuttable presumption that a woman who is unmarried and under  
 10 17 years of age is unemancipated;

11 (4) the woman is domiciled or physically present in the state for 30  
 12 days before the abortion; and

13 (5) the applicable requirements of AS 18.16.060 have been satisfied.

14 \* **Sec. 3.** AS 47.07 is amended by adding a new section to read:

15 **Sec. 47.07.066. Payment for abortion services.** The department may not pay  
 16 for abortion services using state funds appropriated from the general fund unless the  
 17 abortion services are provided at a facility licensed by the state or that meets  
 18 equivalent licensing standards in another state and that otherwise meets all  
 19 requirements imposed on an ambulatory surgical facility in the state.

20 \* **Sec. 4.** AS 47.32.900(1) is amended to read:

21 (1) "ambulatory surgical center" means a facility that

22 (A) is not a part of a hospital or a physician's general medical  
 23 practice; and

24 (B) operates primarily for the purpose of providing surgical  
 25 services to patients who do not require hospitalization; **in this subparagraph,**  
 26 **"surgical services" includes abortion services if abortions are performed;**