

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

March 11, 2013

5:04 p.m.

MEMBERS PRESENT

Senator John Coghill, Chair
Senator Lesil McGuire, Vice Chair
Senator Fred Dyson
Senator Donald Olson
Senator Bill Wielechowski

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 49

"An Act defining 'medically necessary abortion' for purposes of making payments under the state Medicaid program."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 49

SHORT TITLE: MEDICAID PAYMENT FOR ABORTIONS; TERMS

SPONSOR(S): SENATOR(S) COGHILL

02/11/13	(S)	READ THE FIRST TIME - REFERRALS
02/11/13	(S)	JUD, FIN
02/15/13	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/15/13	(S)	JUD, FIN
02/27/13	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
02/27/13	(S)	Heard & Held
02/27/13	(S)	MINUTE(JUD)
03/04/13	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/04/13	(S)	Heard & Held
03/04/13	(S)	MINUTE(JUD)
03/05/13	(S)	JUD AT 1:30 PM BELTZ 105 (TSBldg)
03/05/13	(S)	Heard & Held
03/05/13	(S)	MINUTE(JUD)
03/11/13	(S)	JUD AT 5:00 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

LYNN ECOLA, representing herself
Petersburg, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

KEN SINEE (ph), representing himself
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of SB 49.

RACHAEL GIERHART, representing herself
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

PAT CHAMBERS, representing herself
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 49.

ALICIA MARRIOTT, representing herself
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

WILLIAM COX, M.D., representing himself
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

LYNETTE PHILLIPS, representing herself
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

AMY WALKER, representing herself
Palmer, Alaska

POSITION STATEMENT: Testified in support of SB 49.

CAREN ROBINSON, Lobbyist
Alaska Women's Lobby
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

LANCE ROBERTS, representing himself
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 49.

DIANA CONWAY, representing herself
Halibut Cove, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

KATE FINN, representing herself

Homer, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

KAREN LEWIS, representing herself

MatSu, Alaska

POSITION STATEMENT: Testified in support of SB 49.

DYLAN ROBERTSON, representing himself

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

PAIGE HODSON, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

ED GOANS, representing himself

Soldotna, Alaska

POSITION STATEMENT: Testified in support of SB 49.

RAMONA DUBY, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in strong opposition to SB 49.

JEFFREY MITTMAN, Executive Director

ACLU of Alaska

Anchorage, Alaska

POSITION STATEMENT: Offered to answer questions, and reminded the committee that the ACLU had submitted both written and oral testimony stating opposition to SB 49.

PAT MARTIN, representing himself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 49.

COLLEEN MURPHY, M.D., representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

ALBERT JUDSON, representing himself

Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 49.

JOYANNE BLOOM, representing herself

Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

DOUG MCKINNIS representing himself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 49.

KATHLEEN TONN, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

JODIE DOMINGUEZ, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

KINDEE LESLIE, representing herself

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 49.

ALICIA MUSIAL, representing herself

Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 49.

KEITH KURBER, representing himself

Big Lake, Alaska

POSITION STATEMENT: Testified in support of SB 49.

JESSE ROSS, representing himself

Juneau, Alaska

POSITION STATEMENT: Testified in full support of SB 49.

PETER NOX, representing himself

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

JAN DELAND, Operation Outcry

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

DEBRA BORLLINI, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 49.

PAMELA MARSCH, representing herself

Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

DEE LONGENBAUGH, representing herself

Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 49.

ACTION NARRATIVE

5:04:44 PM

CHAIR JOHN COGHILL called the Senate Judiciary Standing Committee meeting to order at 5:04 p.m. Present at the call to order were Senators Wielechowski, McGuire, Dyson, Olson, and Chair Coghill.

SB 49-MEDICAID PAYMENT FOR ABORTIONS; TERMS

5:05:04 PM

CHAIR COGHILL announced the consideration of SSSB 49. Noting that this was the fourth hearing, he stated the intention this evening was to take public testimony.

SENATOR MCGUIRE asked for answers to the following questions:

1. How are Alaska's adoption statutes working, who is in charge at the state level, and how are adoptions working for low income women who do not want to keep the child they are carrying?
2. Are intermission nurseries still available for young mothers to take their babies when they need relief?
3. What are the qualifications for Head Start and what would it take to expand the program?

SENATOR DYSON relayed that his experience was that there were far more couples looking for children than children available to adopt.

CHAIR COGHILL reminded the committee that the bill is narrowly focused on when a procedure is paid for as medically necessary and when is it elective. He agreed it would be appropriate to hear from the DHSS commissioner.

5:13:59 PM

LYNN ECOLA, representing herself, described herself as a back-alley abortionist who was put out of business by Roe v. Wade. SB 49 will restore that client base, particularly the most vulnerable of those clients, poor Alaskan women. She highlighted that this medical judgment legislation was akin to that found in China and Pakistan.

5:16:02 PM

KEN SINEE (ph), representing himself, spoke in support of SB 49. He said he doesn't believe in abortion at all, and those that

are not medically necessary definitely should not be covered by Medicaid or taxpayer dollars.

[5:17:49 PM](#)

RACHAEL GIERHART, representing herself, urged the committee to oppose SB 49. She said she works with people with severe mental health disorders and they sometimes need abortions. She respectfully pointed out that this should not be a political decision. Abortion is never an easy option, but it is important to respect women enough to allow them to decide for themselves. To do otherwise takes away meaningful independence. Instead of reducing access to a valid and safe medical procedure, she suggested reducing abortions overall by educating citizens on prevention.

[5:20:55 PM](#)

PAT CHAMBERS, representing herself, said she was testifying in support of SB 49. She said it is morally right to set a high bar, particularly when it comes to killing innocent, defenseless babies. She suggested the committee not worry about people who cry about not being able to kill babies.

[5:21:44 PM](#)

ALICIA MARRIOTT, representing herself, spoke in opposition to SB 49. She said she has traveled extensively throughout the state and is always amazed that the lifestyle that some may consider hardship is seen by others as everyday life. However, a common thread in struggling communities is that many people lack the financial, emotional, medical or other resources necessary for their wellbeing. Noting the exceptions for rape and incest, she offered her belief that the choice should always reside with the woman and her doctor.

She urged the committee to take time to consider the vulnerable people in this state who are often overlooked because of their location, economic status, or cultural background. Voting for SB 49 imposes personal opinions on the right of Alaskan women to care for their own reproductive health.

[5:25:02 PM](#)

WILLIAM COX, M.D., representing himself, said he has been a radiologist for many years and he opposes SB 49. He recalled the mandatory ultrasound debacle last session and observed that this bill appears to be a continuation of the attempts to restrict abortion. The difference here is that SB 49 would only target the poor. He offered his belief that the state should continue to maintain general oversight of medical practice, but nobody

outside the physician/patient relationship should determine what is medically necessary.

DR. COX cautioned the committee to view with healthy skepticism the recent testimony that abortion can somehow lead to depression. He emphasized that while postpartum depression is grounded in science and universally accepted by the medical community, it has nothing to do with whether the woman wanted the baby or not. Furthermore, women who become pregnant certainly wouldn't be urged to have an abortion to avoid postpartum depression.

DR. COX suggested that to decrease the number of abortions overall, the committee should support medically accurate and age-appropriate education, universal no-copay contraceptive coverage, and over-the-counter morning after pills.

5:28:43 PM

LYNETTE PHILLIPS, representing herself, stated support for SB 49. She offered her belief that Medicaid should only cover medically necessary abortions, except in the case of rape and incest. Taxpayers should not be financially responsible for elective abortions. She characterized SB 49 as reasonable legislation, and opined that adoption is a viable alternative.

5:29:58 PM

AMY WALKER, representing herself, testified in support of SB 49. She said she opposes abortion at any time because the right to life is the first inalienable right. Furthermore, taxpayers should not have to pay for others' irresponsible, wrong choices. She agreed that women should be able to make choices concerning their own bodies, but pointed out that a baby is not part of the mother's body. It is a separate and unique person. She asked the committee to remove the exception for rape and incest because these babies should not be held responsible for the father's crime. Her preference is to have no abortions at all, but if there is accommodation for medical necessity, the mother's life should truly be at risk.

5:32:13 PM

CAREN ROBINSON, Lobbyist, Alaska Women's Lobby (AWL), explained that AWL is a statewide organization dedicated to advancing the rights of women, children, and families. The organization does not support SB 49 in general and specifically opposes limiting the definition of "medically necessary" to exclude mental illness. AWL believes that all women have the right to control their reproduction and that doctors should decide when an

abortion is necessary. Doctors should be free to use their medical judgment based on the consideration of all factors. AWL further believes that the Supreme Court was right to broadly define "medically necessary" to allow the attending physician the latitude necessary to make the best medical judgment.

MS. ROBINSON requested the committee hold SB 49 and give the new DHSS regulations governing when the state Medicaid program pays for abortions a chance to work. DHSS spent a great deal of time and effort on these clarifications and they were only implemented in January 2013. She also suggested the committee ask the commissioner about the women's health Medicaid options, because studies show that these have the potential to bring abortion rates down substantially.

[5:35:09 PM](#)

SENATOR DYSON asked what she considers an elective abortion.

MS. ROBINSON said she wasn't medically qualified to answer.

SENATOR DYSON clarified that he was talking about situations that are not medical.

MS. ROBINSON responded that the perception of what is elective may change once all the circumstances are understood.

[5:36:10 PM](#)

LANCE ROBERTS, representing himself, urged the committee to move SB 49 forward and provide a good definition for "medically necessary" rather than the wishy-washy reasons that are being used. He maintained that it is incumbent upon government to develop good definitions and emphasized that there certainly should not be a program that spends a lot of taxpayer money to kill babies for purely elective reasons. It is a sad commentary on society that it happens at all, he said.

[5:38:02 PM](#)

DIANA CONWAY, representing herself, pointed out that the sponsor's aide, Chad Hutchinson, said the sole purpose of the bill is to bring the state into compliance with federal Medicaid rules, not to do away with abortion. However, after listening to all three public hearings she concluded that is not true. In fact, there has been no evidence that the federal government has ordered the state to provide a statutory definition for medically necessary abortion. She observed that almost all the testimony in support of the bill was offered by people who oppose abortion in general, and she believes those people would

rightly scream tyranny if the law forced them to have an abortion. It is therefore reasonable to call tyranny any attempt against the established right of women to choose abortion for themselves. She pointed out that Alaska statutes do not define "medically necessary" for procedures on backs, knees, and hearts when Medicaid is paying and the same rule should apply for abortion. She urged the committee not to pass SB 49.

CHAIR COGHILL clarified that the Supreme Court said that states should only pay for medically necessary abortions, but did not provide the criteria. The purpose of SB 49 is to help define what is elective.

5:41:00 PM

KATE FINN, representing herself, said she has been a nurse in this state for 36 years, working primarily in public health and women's health. For five years she worked as a sexual assault nurse examiner in Homer. She noted that SB 49 provides an exception for rape and incest, but it does not say who decides if the sexual event was rape or incest. If the bill doesn't define who makes this important decision, she didn't understand how it could be included in the bill.

MS. FINN said the medical profession generally acknowledges that the condition of the physical body is not the only thing that matters when considering medically necessary interventions. Mental, emotional, and social considerations are highly influential and necessary in determining a person's medical status and outcome. Thus, restricting Medicaid funds to only physical risk and life of the mother ignores a huge portion of what matters in literally and figuratively saving a life.

MS. FINN pointed out that many psychotropic medications are teratogenic and should never be used during pregnancy, but may be the only medication that stabilizes the symptoms. She emphasized that a woman needs to be given the choice of whether or not to carry a pregnancy to term under these conditions. Other mental and emotional conditions can also be severely affected by a pregnancy and the postpartum period. To limit medically necessary solely to physical conditions runs contrary to how medical care decisions are made.

MS. FINN said she honors the belief system that the bill appears to come from, and would ask the sponsor to honor the personal belief systems of others. She cautioned not to discount the physical, emotional, mental, and spiritual life circumstances that bring a woman to the moment of having to make such a

momentous life-livelong decision about whether or not to seek an abortion.

[5:46:34 PM](#)

CHAIR COGHILL said there are well-defined statutory definitions for rape and, according to the testimony, less than four percent of Medicaid abortions fall into that category.

[5:47:23 PM](#)

KAREN LEWIS, representing herself, characterized the *Roe v. Wade* decision as legislated immorality that has resulted in more than 55 million children being murdered in the womb. She maintained that using tax dollars for the procedure makes taxpayers accessory to murder. She agreed with earlier testimony that women should be responsible for their reproductive capability, and stated that it wasn't rocket science to keep from getting pregnant. It was a matter of being aware of what one was doing. She thanked the committee for bringing the legislation forward and expressed appreciation to the legislators who continue to fight for righteousness and what is right. She knows for a fact that it isn't right to kill children in the womb.

[5:49:23 PM](#)

DYLAN ROBERTSON, representing himself, said he supports SB 49 first as a stewardship issue. With so many budgetary struggles, it makes sense to think carefully about what should and should not be paid for by [Medicaid]. He said his second point is that abortion can have a profound effect on both the man and woman. He described his friend's experience being part of three abortions when he would have preferred to raise the kids.

[5:52:55 PM](#)

PAIGE HODSON, representing herself, said she lives in Anchorage and has been a court-appointed special advocate for children and a volunteer at the intermission crisis center that Senator McGuire mentioned earlier. She stated that her own family story vividly underlines why women and their doctors must be given the latitude to make decisions about their own lives, health, and families. She related that when her very poor, exhausted, and depressed mother learned she was pregnant with her fifth child she collapsed and was hospitalized with suicidal ideations. Safe and legal abortion was not available and the pregnancy continued. Something went wrong during childbirth and the doctor told her to choose which life to save. Her mother chose the baby, but thankfully both survived. Ms. Hodson said she was that fifth baby and she would have gladly exchanged her life for her mother's. Nobody knows what would have happened to her four

young siblings if their mother had died in childbirth, but the bottom line is that it was her decision to make. Women's mental and physical health is too complex to be set in a predetermined list that politicians have deemed medically necessary. She urged the committee to move on to more important state business and stop trying to micromanage women's lives. Alaska courts have consistently held that women have a fundamental right to privacy and that there can be no discrimination in medical decisions. The continued effort to undermine the rights of poor women is particularly unnerving, because they are less likely to have the ability to fight for their rights.

MS. HODSON concluded that the reality is that more lives will be saved by fully funding family planning and health care services for all Alaskans than by trying to deprive women of their right to control their own lives and bodies.

[5:56:17 PM](#)

ED GOANS, representing himself, said he lives in Soldotna and is a front street prolife supporter as opposed to a back-alley taker of innocent life. He said it's apparent that abortion is treated as big business by pro-abortion advocates. However, this big business should not be supported by Alaska taxpayers.

Those who oppose SB 49 have made reference to how safe they feel with access to state-paid elective abortion, but the babies in the womb are not so safe. Pro-abortion advocates confuse the issue of abortion with micromanaging women's lives, but it's really about saving innocent lives. People who are opposed to the bill believe that mentally challenged people should not be denied Medicaid funded abortions, but he is very thankful that his mentally challenged mother-in-law did not abort his wife. He cited one of his favorite books:

For you formed my inward parts; you covered me in my mother's womb. I will praise you for I am fearfully and wonderfully made. Marvelous are your works, and that my soul knows very well.

MR. GOANS offered his belief that elective abortion is carelessly casting aside God's masterful handiwork. He also expressed appreciation for Senator McGuire's comments on adoption, and said he prays that the right decisions are made with regard to SB 49.

[5:59:32 PM](#)

RAMONA DUBY, representing herself, said she opposes SB 49 but appreciates Senator McGuire's comments and hopes there can be a connection between adoption and the foster care system. She characterized the bill as an effort to save money and expressed hope that it doesn't actually add to the numbers of those who are already experiencing mental illness and receiving services. She observed that a lot of faith-based issues entered into this bill and she would prefer to see less of that particular focus.

[6:03:02 PM](#)

JEFFREY MITTMAN, Executive Director, ACLU of Alaska, said he was available to answer questions, and reminded the committee that the ACLU had submitted both written and oral testimony opposing SB 49.

[6:03:49 PM](#)

PAT MARTIN, representing himself, said it's been interesting hearing the varied testimony on SB 49, and it appears to come down to the fact that poverty and inconvenience should never be the basis for medical necessity, particularly when considering the termination of a life. It doesn't matter whether one believes that life begins at birth or at conception; either way it's a life. He stated support for SB 49 and thanked the sponsor for introducing it.

[6:06:09 PM](#)

COLLEEN MURPHY, M.D., representing herself, said she is a board certified obstetrician/gynecologist and abortion provider. She read the following definition into the record:

Medical necessity is a United States legal doctrine related to activities which may be justified as reasonable, necessary, and/or appropriate based on evidence-based clinical standards of care.

DR. MURPHY also cited the Amnesty International description of maternal health in the United States:

It's more dangerous to give birth in the United States than in 49 other countries. African-American women are at almost four times greater risk [of dying] than Caucasian women. A safe pregnancy is a human right for every woman regardless of race or income.

Maternal mortality ratios have increased from 6.6 deaths per 100,000 live births in 1987 to 13.3 deaths per 100,000 live births in 2006. While some of the

recorded increase is due to improved data collection, the fact remains that maternal mortality ratios have risen significantly.

The USA spends more than any other country on health care, and more on maternal health than any other type of hospital care. Despite this, women in the USA have a higher risk of dying of pregnancy-related complications than those in 49 other countries, including Kuwait, Bulgaria, and South Korea.

African-American women are nearly four times more likely to die of pregnancy-related complications than white women. These rates and disparities have not improved in more than 20 years.

Maternal deaths are only the tip of the iceberg. During 2004 and 2005, more than 68,000 women nearly died in childbirth in the USA. Each year, 1.7 million women suffer a complication that has an adverse effect on their health.

This is not just a public health emergency - it is a human rights crisis. Women in the USA face a range of obstacles in obtaining the services they need. The health care system suffers from multiple failures: discrimination, financial, bureaucratic and language barriers [to care, lack of information about maternal care and family planning options, lack of active participation in care decisions, inadequate staffing and quality protocols, and a lack of accountability and oversight.]

DR. MURPHY also shared an overview of maternal mortality in the U.S. and the comparative safety of legal, induced abortion to childbirth in the U.S.

Maternal mortality:

Three percent of maternal deaths occurred after a spontaneous or induced abortion. Four percent occurred after ectopic pregnancies. Fifteen percent occurred prior to delivery and 77 percent occur after delivery.

The Green Journal: Obstetrics and Gynecology February 2012:

We estimate mortality rates associated with live births and legally induced abortions in the United

States in 1998 to 2005. We used data from the Centers for Disease Control and Prevention, Pregnancy Mortality Surveillance System, birth certificates, and the Guttmacher Institute surveys. In addition, they searched the population based data during the morbidity of abortion and childbirth.

The pregnancy associated mortality rate among women who delivered live births was 8.8 deaths per 100,000 live births. The mortality rate related to induced abortions was 0.6 deaths. The legal induced abortion is markedly safer than childbirth. The risk of death associated with child birth is approximately 14 times higher than that with abortion.

DR. MURPHY said if there is a 14 times higher rate of death from giving birth compared to having an abortion, the state should be providing abortion services to women under the state Medicaid care system.

CHAIR COGHILL asked Dr. Murphy to send the statistical review to his office.

[6:11:36 PM](#)

ALBERT JUDSON, representing himself, said he was speaking in support of SB 49. He is an Alaska Native from the Tlingit Tribe, a qualified chemical dependency counselor, a Christian, and very prolife. He related his personal story of being so small at birth he wore doll's clothing and was fed with an eyedropper. He mused that in modern times he may have been aborted. He cited some statistics. In 2011, 623 abortions were performed in Alaska and the cumulative cost ranged from \$436,000 to \$623,000. Nationwide, about 1.1 million abortions are performed every year. He said this is big business.

MR. JUDSON discussed declining federal funds and opined that Medicaid funded abortions should be kept to a minimum. He reiterated support for SB 49 and his belief that Medicaid should only pay for an abortion in the case of rape, incest, or medically necessary reasons. He relayed that because of his belief in life it was a major compromise to agree to any kind of abortion; adoption is a much better alternative.

[6:17:09 PM](#)

JOYANNE BLOOM, representing herself, said she was speaking in opposition to SB 49, but wanted to compliment the committee for actually listening to the testimony and being open to what was

said. She pointed out that she and the committee members were all advantaged and had the means to make their own choices, and clarified that she was speaking for the disadvantaged that do not have the means to make their own choices. Since the Alaska Constitution promises that all people are treated equally, she asked the committee to support that promise and maintain the means for the disadvantaged to make choices.

[6:19:20 PM](#)

DOUG MCKINNIS, representing himself, said he was from Wasilla and was speaking in support of this excellent legislation. SB 49 is not about whether or not a woman can get an abortion; it is about who pays to kill unborn children in certain circumstances. He urged the committee to stay focused on that. He highlighted that Medicaid pays for medically necessary procedures and the bill recognizes that it should only cover medically necessary abortions. This is in line with the policies of Medicaid, which does not pay for elective procedures. He warned the committee to look with skepticism at the data from Amnesty International, because nobody in their right mind would believe that the U.S. is a dangerous place for pregnant women to live. Rather, it's the unborn child in the U.S. that faces danger. Since 1973 more than 50 million children have been killed. That is the real tragedy.

MR. MCKINNIS offered his belief that the people who oppose SB 49 are focused on the money they will lose if it passes, but they are not concerned about the free choice of the people who do not want to pay for abortions.

[6:22:11 PM](#)

KATHLEEN TONN, representing herself, said she is from Anchorage and she represents three parties: Jehovah - The God Almighty, the Holy Bible, and the unborn. The testimony thus far has come from three perspectives: the spiritual, the intellect, and the emotional. She cited Genesis Chapter 1 Verse 27 as the definitive word of God and the absolute authority on the issue of human life:

So God created mankind in his own image, in the image of God he created them; male and female he created them.

MS. TONN said life comes from God and dissolution of life comes through the venue of miscarriage, not abortion. As a taxpayer and Alaska resident for more than 32 years, she does not want anybody's money used for elective abortions. She related personal stories about abortion, adoption, and pregnancy that resulted from rape, and promised to pray that the bill passes and for two of the testifiers today.

[6:26:45 PM](#)

JODIE DOMINGUEZ, representing herself, said she lives in Anchorage and is testifying to encourage a no vote on SB 49. She explained that she opposes the bill because she promised herself and others that when she goes to the ballot box she will consider how her vote will affect the everyday lives of others. That said, she questioned how voting yes on SB 49 would help the everyday lives of people in this society. She pointed out that an unplanned pregnancy definitely affects the woman for the rest of her life, and a child who is unplanned may spend his/her life feeling uncomfortable and an inconvenience. She urged the committee to focus on a society with happier lives with planned pregnancies, and to separate the church from the state.

[6:29:39 PM](#)

KINDEE LESLIE, representing herself, said she lives in Fairbanks and is in favor of SB 49. She said that she appreciates that the committee is taking the time to define "medically necessary" in statute. This will clarify when Medicaid will pay for an abortion and help to steward tax dollars. She offered her belief that if a procedure is not medically necessary then it is optional and public money should not be used to pay for optional procedures. Although she understands that women want the right to choose, they ought to be required to pay for their choices. She urged the committee to move cautiously with regard to including mental health issues as a medically necessary condition, because the government does not have the right to say who is worthy to reproduce or who meets the financial or mental standard to have children. She suggested focusing more on prevention rather than the consequences of poor choices. She implored the committee to continue working for what is right for Alaskans.

[6:33:06 PM](#)

ALICIA MUSIAL, representing herself, said she is a low income, 22-year-old mother of two who supports SB 49. She offered her belief that depression, poverty, inconvenience, and wanting control of one's reproduction are not medically necessary reasons for abortion. Furthermore, rape isn't a valid reason for an abortion, because children conceived by rape are no less worthy than babies conceived in other conditions. She concluded that an unwanted pregnancy should not qualify as a medically needed abortion and should not be paid for by Alaskan tax dollars.

[6:34:43 PM](#)

KEITH KURBER, representing himself, said he lives in Fairbanks and is speaking in favor of SB 49, because the issue of choice resides with both the mother and the person who is the result of the pregnancy. He voiced support for the idea that the number one issue is life and getting the chance to have one. He emphasized that it is absolutely within the legislature's purview to craft laws that affect the freedoms of the people of the state.

[6:37:56 PM](#)

JESSE ROSS, representing himself, said he is a Juneau resident and is wholeheartedly in support of SB 49 to provide a definition [for medically necessary]. The issue isn't about who decides or women's rights; it's about whether the people of Alaska want to pay for abortions. He, for one, does not want that and he doesn't believe that the responsible people of Alaska should have to pay for the irresponsible actions and choices of others. He urged the committee to move the bill forward.

[6:40:11 PM](#)

PETER NOX, representing himself, said he is calling from Anchorage to voice support for SB 49, which proposes to stem the use of tax dollars to fund purely elective abortions. He noted that some have said that politicians should stay out of the doctor's office, and he would point out that by that logic tax dollars should also be kept out of the doctor's office. However, since tax dollars are involved in medicine, he applauds the politicians who are taking steps to ensure that the state is not funding purely elective abortions.

[6:41:14 PM](#)

JAN DELAND, Operation Outcry, Anchorage, said she supports clarifying what is a medically necessary abortion and believes the definition should be narrowed to include only someone who is facing the imminent loss of their physical life. She explained that Operation Outcry administers to women who have been injured by abortion and she is testifying to dispel the notion that abortion is safe. She described her emotional devastation to learn that the doctor who performed her D&C procedure also performed abortions. She warned that the abortion providers who testified have a profit motive and supplied bogus facts. She offered her belief that abortion is dangerous, devastating to the purpose and gifting of women, causes breast cancer, and causes psychological harm. She said she wants to stand up for women, children, and anyone who is at a disadvantage because they aren't being told the whole truth. Furthermore, she would

like the exceptions for rape and incest to be removed from the bill. The criminal should be punished, not the mother or baby.

[6:46:33 PM](#)

DEBRA BORLLINI, representing herself, stated support for SB 49. She described being hospitalized with serious complications from asthma and getting advice from an on-call physician to seriously consider terminating her pregnancy. She did not heed the advice and delivered a healthy baby boy. She said she would like to believe that the on-call doctor would have chosen life if he had had access to her entire health record. Providing a definition for "medically necessary" will ensure that no other child's life will be subjected to an unnecessary abortion.

[6:49:19 PM](#)

PAMELA MARSCH, representing herself, said she lives in Anchorage and would recommend withdrawing SB 49 because it seeks to define something that is truly between a woman and her doctor. She described having a very difficult pregnancy and delivery and questioned whether she would have survived if she hadn't had a very good support system. Not all women are that fortunate, so it is inappropriate to think that it is anyone other than the woman's right to decide what to do with her pregnancy.

[6:51:14 PM](#)

DEE LONGENBAUGH, representing herself, said she was urging a no vote on SB 49 for a number of reasons. First, men are making decisions about what women can or cannot do. Second, the talk from Anchorage about not using taxpayer money is interesting because Anchorage doesn't have any taxes. Third, it truly is the case that some families couldn't afford to have another child. Finally, this talk is reminiscent of the Reagan administration. They cared deeply about the child from conception to birth, but there wasn't much realistic talk about what happens to unwanted children. She reiterated that she was urging a no vote on SB 49.

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CHAIR COGHILL closed public testimony on SB 49 and announced he would hold SB 49 for further consideration.

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There being no further business to come before the committee, Chair Coghill adjourned the Senate Judiciary Standing Committee meeting at 6:54 p.m.