

Introduced: 3/10/71
Referred: Health, Welfare
and Judiciary

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1 IN THE HOUSE

BY PARRELL BY REQUEST

2 HOUSE BILL NO. 294

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child neglect."

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

8 * Section 1. AS 11.35.010 is amended by adding a new subsection to read:

9 (b) For the purposes of (a) of this section there is no failure
10 to provide care or medical attendance to a wife or child who is pro-
11 vided treatment solely by spiritual means through prayer in accordance
12 with the tenets and practices of a recognized church or religious
13 denomination by an accredited practitioner of the church or denomination.
14 However, this provision does not apply to a wife who is not an adherent
15 of or does not believe in the church or religious denomination and who
16 is unable to provide the care or medical attendance for herself.

17 * Sec. 2. AS 47.10.080(c)(2) is amended to read:

18 (2) order the minor released to his parents, guardian, or
19 some other suitable person, and, in appropriate cases, order the
20 parents, guardian, or other person to provide medical or other care
21 and treatment; if the court releases the minor, it shall direct the
22 department to supervise the care and treatment given to the minor;
23 the department's supervision may not extend past the date the minor
24 becomes 19 years of age, except that the department may petition the
25 court for continued supervision for an additional one-year period for
26 minors who have not responded to treatment; or

27 * Sec. 3. AS 47.10.080 is amended by adding a new subsection to read:

28 (k) In making its order under (c) of this section, the court
29 shall consider the fact, if it is a fact, that the minor was being

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1 provided treatment by spiritual means through prayer in accordance
2 with the tenets and practices of a recognized church or religious
3 denomination by an accredited practitioner of the church or denomina-
4 tion.

5 * Sec. 4. AS 47.10 is amended by adding a new section to read:

6 Sec. 47.10.085. DEPENDENT MINOR; RELIGIOUS TREATMENT. In a case
7 in which the minor's status as a dependent minor is sought to be based
8 on his need for medical care, the court may, upon consideration of the
9 health of the minor and the fact, if it is a fact, that the minor is
10 being provided treatment by spiritual means through prayer in accor-
11 dance with the tenets and practices of a recognized church or religious
12 denomination by an accredited practitioner of the church or denomina-
13 tion, dismiss the proceedings and thereby close the matter. This may
14 be done, in the interests of justice and religious freedom, on the
15 court's own motion or upon the application of a party to the proceed-
16 ings, at any stage of the proceedings after information is given to
17 the court under sec. 20(a) of this chapter.
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