

HOUSE BILL NO. 154
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KOTT, Green, Martin

Introduced: 2/15/93

Referred: Health, Education & Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a woman's right to know certain medical facts related to
2 the woman's safety before an abortion is performed."

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

4 * **Section 1.** AS 18.16 is amended by adding a new section to read:

5 Sec. 18.16.020. A WOMAN'S RIGHT TO KNOW. (a) Except in the case
6 of a medical emergency, a physician may not perform an abortion unless, before
7 beginning the abortion procedure or treatment, the attending physician receives from
8 the patient written certification that the attending physician has orally

9 (1) described to the patient the nature of the procedure or treatment that
10 will be used for the abortion;

11 (2) described to the patient alternative procedures or treatments that
12 could be used for the abortion;

13 (3) informed the patient of the probable gestational age of the unborn
14 child at the time the abortion is to be performed;

1 (4) described the medical risks associated with carrying the child to
2 term;

3 (5) informed the patient of risks that may be associated with the
4 procedure or treatment to be used and alternative procedures or treatments described
5 under (2) of this subsection, including risks

6 (A) associated with anesthesia if anesthesia might be used;

7 (B) associated with medication that may be involved;

8 (C) of infection, including the possibility of chronic infection
9 that may lead to the inability of the patient to bear a child in the future;

10 (D) of bleeding that may result from the procedure or treatment;

11 (E) of a perforated uterus;

12 (6) informed the patient that the procedure or treatment might not be
13 effective in terminating the pregnancy.

14 (b) A physician who violates this section is guilty of a class A misdemeanor
15 and is subject to disciplinary sanctions under AS 08.64.326 for unprofessional conduct.

16 (c) In this section, "medical emergency" means a condition which, on the basis
17 of the attending physician's good faith clinical judgment, so complicates the medical
18 condition of a pregnant woman as to necessitate the immediate abortion of the
19 woman's pregnancy to avert the woman's death or for which a delay will create
20 serious risk of substantial and irreversible impairment of major bodily function.