

CS FOR SENATE BILL NO. 53(FIN)**IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - FIRST SESSION****BY THE SENATE FINANCE COMMITTEE****Offered: 2/26/93****Referred: Rules****Sponsor(s): SENATE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to payment for abortions under Medicaid and general relief
2 medical assistance; annulling changes made by certain regulations adopted by the
3 Department of Health and Social Services relating to funding of abortion services
4 under the general relief medical program; and providing for an effective date."

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

6 * Section 1. INTENT. (a) The intent of AS 47.07.067 and AS 47.25.197, enacted by
7 secs. 2 and 3 of this Act, is to confirm and clarify that statutes in effect on the day before
8 enactment of this Act require payment for abortion services under AS 47.07 (Medicaid
9 program) and AS 47.25.120 - 47.25.300 (general relief medical assistance). AS 47.07.067 and
10 AS 47.25.197 are intended to continue the already required practice of paying for abortions
11 to the extent that they were paid for under AS 47.07, AS 47.25.120 - 47.25.300, 7 AAC
12 43.140, 7 AAC 43.825, 7 AAC 43.835, 7 AAC 47.210(7), 7 AAC 47.200(4)(E), 7 AAC
13 47.290(3) and (5), and related regulations, as they were in effect on December 30, 1992.

14 (b) The intent of sec. 4 of this Act is to annul the changes made in abortion funding

1 regulations that were filed with the lieutenant governor in January 1993 so that abortions are
2 eligible for funding under the regulations of the Department of Health and Social Services as
3 they existed in December 1992.

4 * **Sec. 2.** AS 47.07 is amended by adding a new section to read:

5 **Sec. 47.07.067. PAYMENT FOR ABORTIONS.** (a) The department shall
6 pay for abortion procedures under this chapter to the extent permitted under federal
7 law.

8 (b) An abortion procedure not covered by federal law for a person otherwise
9 eligible for assistance under this chapter shall be covered under AS 47.25.120 -
10 47.25.300.

11 * **Sec. 3.** AS 47.25 is amended by adding a new section to read:

12 **Sec. 47.25.197. PAYMENT FOR ABORTIONS.** (a) Notwithstanding
13 AS 47.25.200 or any other provision of law, the department shall provide medical
14 assistance payments under AS 47.25.120 - 47.25.300 for the cost of services
15 reasonably necessary for a therapeutic or elective abortion performed by a physician
16 for a person who is otherwise eligible for assistance under AS 47.07 or AS 47.25.120 -
17 47.25.300.

18 (b) For purposes of AS 47.25.205, the cost of inpatient physician services,
19 outpatient physician services, inpatient hospital services, emergency and nonemergency
20 medical transportation, pharmaceuticals, medical supplies and equipment, outpatient
21 laboratory and x-ray services, and other costs reasonably necessary for an abortion
22 authorized under this section shall be given the funding priority granted to the cost of
23 those services or items when they are performed or used in connection with other
24 procedures or treatments authorized under AS 47.25.120 - 47.25.300.

25 * **Sec. 4.** The changes made to 7 AAC 47.170(b), 7 AAC 47.200, 7 AAC 47.210(7), and
26 7 AAC 47.290(3) and (5) by regulations that were filed by the lieutenant governor on
27 January 20, 1993, are annulled. 7 AAC 47.290(7) and (8) are annulled.

28 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).