

**ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672**

**6842 HOUSE HEALTH EDUCATION & SOCIAL SERVICES**

## Testimony to House HESS Committee on H.B. 268

Making abortion available on demand is a bandaid to quickly fix a big social problem. It may look really attractive as a way to cut back on the multitude of problems being addressed in many other bills concerning teen pregnancies and parenting which come before you committee. But our whole country has watched teen pregnancies escalate dramatically over the years since abortion has been a legal option. We have an advantage in being a newer state. Please look at the lessons to be learned from other states. Even though their overall rate of teen pregnancies has been lower, has abortion on demand really done anything to lessen the problem??

Concerning Sec. 7 of H.B. 268, I am appalled at the nerve of our state representatives to attempt to remove, from hospitals and health - giving places of business, the right to choose not to kill innocent people. If they choose to offer abortion services to people, that is one thing. But to force that on them, when their whole purpose of existence is to save people from death at all costs, is horrendous.

I'm asking you not to support this bill, if you truly care about the people of the state of Alaska. I'll be watching the activity of your committee.

Signed: \_\_\_\_\_

Testifier

Mrs. Laura Green

*Mrs. Laura Green*

S. R. Box 11020

Address

Kodiak, AK 99615

487-2468

Phone No.

May 1, 1991

Dear Legislator:

We are appalled at the recent introduction of abortion-related bills (HB 268 & SB 249) by our legislature. Is it possible some of our elected officials are out of touch with public sentiment or that they simply have not read the latest research and studies regarding this issue?

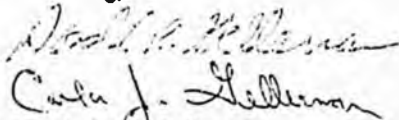
The most recent nationwide Gallup poll revealed more than 2/3 support requirements for parental consent for teenagers. Parents have a right to know when their child undergoes a surgical procedure. Failure to do so can be tragic. Last December a New York City jury awarded \$1.2 million to the parents of 13 year-old, Dawn Ravanell, who died of complications resulting from an abortion, of which they were unaware until their daughter lay dying. Parental notification laws are constitutional and help reduce the teenage abortion rates and teen pregnancy rates, when enforced (Alaska's are not!). A recent study showed that, in Minnesota, after enactment of a one-parent notification law, "the abortion rate falls dramatically".<sup>1</sup> Also, under the law teenagers were "more likely to take measures to avoid pregnancy. In other words it appears that parental notification has encouraged responsible sexual behavior among teenagers in Minnesota", reported lead author of the study, Professor James Rogers, to a Congressional committee.

Almost 90% support a woman's right to know (i.e. informed consent) and the need for health and safety standards in abortion facilities. While in the 1986 Thornburgh case, the Supreme Court struck down an informed consent law, in 1989's Webster decision, the three judge plurality criticized the Thornburgh statute. Together with Justice O'Connor, (a Thornburgh dissenter) and Justice Scalia (who would have reversed Roe vs. Wade explicitly), a majority of five justices are prepared to sustain informed consent legislation.<sup>2</sup> The "safe, legal abortion" rhetoric is but a lethal myth. "...the reported immediate complication rate, alone, of abortion is no less than 10 percent. In addition, studies of long-range complication show rates of no less than 17 percent and frequently report complication rates in the range of 25-40 percent. One public hospital has even reported an overall complication rate following abortion of 70 percent! It is quite possible that only 5-10 percent of all deaths resulting from legal abortion are being reported as abortion-related. ...based on the reported abortion deaths alone, abortion is already the fifth leading cause of maternal death in the United States"<sup>3</sup> Knowing that state-regulated abortions are dangerous, even lethal, we are amazed to see bills introduced in Alaska that eliminate the requirements for abortions to be performed by a State Medical Board licensed physician or surgeon and for them to be performed in a hospital or other state or federal government approved facility. In truth, is this not the legalization of "back-alley abortions" that pro-abortionists have so long accused pro-lifers of promoting? Such reasoning defies all logic.

Polls also continue to show that more women oppose abortion than men. **For every one woman working for abortion, over 20 women are working against abortion.**<sup>4</sup> It is certainly a women's issue, but women clearly do not benefit from it, nor do they want it!

We pray that you will listen to the vast majority of women and men in this nation and that you will acknowledge a solid body of research. Oppose this legislation and support life, health, safety and education for Alaska's women and children.

Sincerely,



Don & Carla Gellerman  
4507 Wood Duck Ave.  
Juneau, AK 99801  
763-2383

1. American Journal of Public Health, March 91
2. Recent passage of the Mississippi and North Dakota informed consent laws all but guarantee that the Supreme Court will rule on the constitutionality of a strong and clearly enforceable informed consent law.
3. David Reardon, Aborted Women: Silent No More. Westchester, IL. Crossway, 1987, pp. 106-107 & 109-111.
4. *Ibid*, pp. 312-313.



# Alaska State Legislature

Please enter into the record my testimony to the H E S S  
committee name  
 committee on HCR-24, dated May 2, '91  
bill/subject

The March 1991 issue of  
 "The American Journal of Public Health"  
 in an article entitled, "Impact of the  
 Minnesota Parental Notification Law on  
 Abortion and birth" states that the  
 abortion rate fell 28% after the  
 enactment of a parental notification law  
 in Minnesota in 1981.

Please include studies from Minnesota  
 and Illinois for they have spent years and

Signed: Ceralyn Oines  
Testifier

Representing (Optional)  
2414 HPR, Sitka, AK  
Address  
747-6732  
Phone No.

Much money on the very issues Alaska  
is concerned about now.  
Thank you.

Coralyn Oines  
Testimony Continued



# Alaska State Legislature

Please enter into the record my testimony to the House  
HESS, Finance  
 committee name  
 committee on HB 255, dated 5-2-91  
 bill/subject

Being a Natural Helper isn't Always helping somebody. Sitka's Natural Helpers program is housed in the Sitka Teen Resource Center. It's a place to go to find help for yourself also. We address a lot of problems in school, such as sexual abuse, mental and physical abuse. If you have been kicked out of your house, etc... These common problems can lead to some very devastating outcomes. Being a Natural Helper you learn more things about yourself. You study warning signs for other problems and you feel like you were there for them when they need you.

Signed: Doug Helean  
 Testifier  
Sitka Natural Helpers - Sitka Teen Resource Center  
 Representing (Optional)  
805 Sistrud St.  
 Address  
7-8752  
 Phone No.



# Alaska State Legislature

Please enter into the record my testimony to the House  
HESS, Finance  
 committee name  
 committee on HB 255, dated 5-2-91  
 bill/subject

Please See  
 ATTACHED  
 Testimony

Signed: Sharon Ramsay  
 Testifier  
Sitka Natural Helpers - Sitka Teen Resource Center  
 Representing (Optional)  
PO Box 1034 Sitka, AK  
 Address  
747-4884  
 Phone No.

Sharon  
Ramsay

I as a Natural Helper and Peer  
 consider encourage the spreading  
 of this program to other parts  
 of Alaska especially to the  
 smaller villages. Personally  
 I am called alot at home  
 and pulled aside in the hallway  
 and in the classroom and  
 more so in the bathroom or  
 at lunch time by my peers  
 who are friends and ag  
 acquaintances who need advice  
 or a listening ear.

Problems vary - My main  
 contact is with teens living on  
 the edge, using and abusing  
 drugs, very sexually active and  
 are being 'abused' at home.

Teens that think about suicide  
 ending their lives due to home  
 situation or pregnancy that  
 I have given advice that  
 was very useful and I can say  
 because of my knowledge and  
 education from training at  
 Natural Helpers meetings, we have  
 changed minds for the better  
 for teens living on the edge.

Regarding teen pregnancies I  
 need to say prevention is not  
 going to be easy with out  
 education. Maybe the Natural  
 Helpers could have a day or a  
 week at school to disperse  
 into classrooms and inform  
 peers on what the really  
 getting involved with chnolds  
 to get pregnant or deciding  
 on keeping the baby. male &  
 female responsibilities and  
 consequences that follow  
 pregnancies.

Most importantly I've  
 learned from myself and  
 others that why we want  
 babies is because we want  
 be loved and accepted we  
 want something of our  
 own to nurture that no one  
 can take away.

There's reasons for every  
 decision we make.  
 Please consider the need  
 for more education and  
 permission for training in  
 the area of pregnancy!



# Alaska State Legislature

Please enter into the record my testimony to the House  
HESS, ~~XXXXXX~~  
 committee name

committee on HB 255, dated 5-2-91  
 bill/subject

My name is Gerald Sexton, I am a Natural Helper in Sitka, AK. Another important item I neglected to talk about was the "Contact Log" sheet that we use to keep track of the people we help. The log sheet runs the gamut from contacts with people requesting help about their parents beating them to people who just needed hugs. In all, the log sheets categorizes the contacts we have made and keeps track of the choices made by the helper as a result. For example if a girl comes up to me and asks my help regarding what she should do if she thought she might be pregnant. Myself, obviously not having a PhD in Biology, cannot do anything directly. Instead I would refer her to a doctor she could go to, or to Planned Parenthood. I would also advise her about the realities of getting pregnant: cost (\$2,000 - \$1,900 minimum), responsibility (immeasurable), and the time involved (time lost in school, work). Another important factor, especially if this hypothetical girl did become pregnant would be

Signed:

Gerald Sexton

Testifier

Sitka Natural Helpers - Sitka Teen Resource Center

Representing (Optional)

1/2 Box 1034 Sitka

Address

747-3500

Phone No.

to inform her in an unbiased, manner of some choices she could make and let her come to her own decision. Some choices could be natural birth, abortion or adoption. These days, abortion is a highly emotion topic and its important to make information readily available on both sides of the issue so a teen can make a decision based on information and not just emotions or other people's moral judgements.

Mike & Diana Grieser  
9951 Steph. Rich. #57  
Juneau, AK 99801

May 2, 1991

House of Representatives  
HESS Committee  
Juneau, Alaska

re: H.B. 268


Dear Committee Members:

We would like to express our profound opposition to H.B. 268, as we believe 'life' begins at conception and abortion is killing babies.

H.B. 268 liberalizes abortion laws that already are too liberal. We would appreciate legislation that protects the right to life for the unborn.

We encourage all members of this committee to vote against H.B. 268.  
Thank you for your consideration of this matter.

Sincerely,

  
Diana R. Grieser

Phyllis Johnstone  
11101 Magnolia  
Anchorage, Alaska 99516

May 3, 1991

Georgianna Lincoln  
State Representative  
Chairman of HESS Committee

Dear Ms. Lincoln,

I believe House Bill No. 268 and Senate Bill No. 249 to be totally irresponsible legislation if what I have heard they are allowing for is true.

I do not agree with eliminating the requirement that abortions be performed by a physician or surgeon licensed by the State of Alaska.

To take away a doctor's or hospital's right to refuse to perform an abortion is unconscionable!

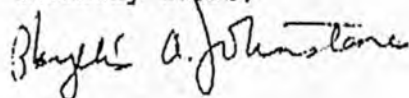
Counseling for alternatives to abortion should be mandatory rather than outlawed. I personally know a young woman who had an abortion when quite young and did not receive any counseling. In later years she learned that a baby was in the early stages of development and she was extremely guilt ridden. That naivete might sound unbelievable to us but it is very prevalent among youth and non-educated peoples.

I believe parental contact should be made for anyone under 18 seeking an abortion.

Tax dollars should not be used to pay for someone's moral irresponsibility in a second act of moral irresponsibility, the first being the unwanted pregnancy and the second being the killing of the fetus.

Enclosed please find a copy of what appear to documented facts on abortion.

Sincerely Yours,



Phyllis A. Johnstone

## A few facts about abortion

It becomes increasingly tiring to listen to the armchair speculation concerning abortion. Let us list the facts;

- In a study conducted by Planned Parenthood, out of 73,000 legal abortions, there were 2,761 hemorrhages; 1,351 fevers; 747 pelvic infections; 607 hemorrhages and infections combined; 543 lacerations of the cervix; 187 punctures of the uterus and six deaths.

- Doe v. Bolton, U.S. Supreme court case in 1973, legalized abortion-on-demand during all nine months of pregnancy.

- Surveys performed by the U.S. government show that 20,000 women a year become sterile due to complications arising from legal abortions.

- Out of 486 doctors polled in the U.S., 87 percent said they had had to hospitalize

women due to serious complications after legal abortions.

- There were approximately 120,000 illegal abortions a year prior to national legalization in 1973. There have been approximately 120,000 illegal abortions a year since 1973.

- 1.5 million abortions are performed annually. 2 percent are performed for reasons of health or rape/molestation.

These are facts from pro-choice and government statistics. I am sorry if they seem to be one-sided; that is simply how they fall. Let us please dispense with the armchair speculation and popular opinion. Aside from allowing the man the right to kill, what has the legalization of abortion done for her? If you want the facts, they are right in front of you.

— Aharon W. Zorea

May 5 1991

To: Honorable Geogianna Lincoln  
HESS Committee

I urge you to schedule a public hearing on HB 268. As elected officials, I am sure you recognize the controversial nature of the tragedy of the holocaust of our unborn children.

Personally, I oppose this radical abortion on demand bill. I would find it morally objectional for my tax dollars to fund the murder of our nations unborn children.

Please do your job as an elected representative a let the voices of your constituents be heard.

Sincerely,

*Dana Swanson*

Dana Swanson  
10801 Glazanof Dr.  
Anchorage, Ak. 995166

*Library  
HB268*

May 6 1991

Honorable Ben Grussendorf  
House Speaker

Subject: HB 268

I urge you to have this bill reviewed by the Judiciary Committee. This is a controversial legal issue therefore it should be referred there.

I strongly oppose HB 268. I believe the tragedy of the holocaust of our nations unborn children must be stopped and that is why I oppose this radical abortion on demand bill!

Please consider why our country is in such moral decline. The right of a doctor or hospital to conscientiously object to participate in the killing of our children is horrific.

My tax dollars supporting this murder is against my rights.

These are just a few of the reasons I object to this bill.

Please do the right thing for America's people and properly process this bill.

Thank you,  
*Dana Swanson*  
Dana Swanson  
10801 Glazanof Dr.  
Anchorage Ak. 99516

M E M O R A N D U M

*Library File*

TO: HOUSE HESS MEMBERS  
FR: PATTI, X4923  
DT: MAY 8, 1991  
RE: HB 268 -- NOTIFICATION OF PUBLICATIONS RECEIVED

THE TWO BOOKLETS MENTIONED BELOW HAVE BEEN RECEIVED BY THE HOUSE HESS COMMITTEE AND CAN BE FOUND IN THE LIBRARY FILE FOR HB 268 IN ROOM 106 OF THE CAPITOL BUILDING.

1. "WE AFFIRM" - NATIONAL RELIGIOUS ORGANIZATIONS' STATEMENTS ON ABORTION RIGHTS BY THE RELIGIOUS COALITION FOR ABORTION RIGHTS. 32 PAGES
2. "WORDS OF CHOICE" BY THE RELIGIOUS COALITION FOR ABORTION RIGHTS. 24 PAGES

THESE BOOKS ARE AVAILABLE FOR YOUR CONSIDERATION. IF YOU WOULD LIKE TO REVIEW THESE BOOKS, PLEASE LET US KNOW AND WE'LL BE HAPPY TO ROUTE THEM TO YOUR OFFICE.



# RELIGIOUS COALITION FOR ABORTION RIGHTS

100 MARYLAND AVENUE, N.E. • SUITE 307 • WASHINGTON, D.C. 20002-5625  
(202) 543-7032 • FAX (202) 543-7820

## MEMBERS

American Ethical Union  
National Science Conference  
American Ethical Union  
American Humanist Association  
American Jewish Committee  
American Jewish Congress  
B'nai B'rith Women  
Division of Homeland Ministries  
Christian Church (Disciples of Christ)  
Women's Caucus  
Church of the Holy Spirit  
Episcopal Urban Caucus  
Episcopal Women's Caucus  
Women in Mission and Ministry  
The Episcopal Church  
Women for Social Witness (Episcopal)  
Federation of Reconstructionist  
Congregations and Havurot  
Lutheran Women's Caucus  
Committee on Church and Society  
Moravian Church in America  
Northern Province  
Na'amat USA  
National Council of Jewish Women  
National Federation of Temple  
Sisterhoods  
North American Federation of  
Temple Youth  
Committee of Women of Color  
Presbyterian Church (U.S.A.)  
Social Justice and Peacemaking  
Ministry Unit  
Presbyterian Church (U.S.A.)  
Women's Ministry Unit  
Presbyterian Church (U.S.A.)  
Union of American Hebrew  
Congregations  
Unitarian Universalist Association  
Unitarian Universalist  
Women's Federation  
Board for Homeland Ministries  
United Church of Christ  
Coordinating Center for Women  
United Church of Christ  
Office for Church in Society  
United Church of Christ  
General Board of Church and Society  
United Methodist Church  
Women's Division  
General Board of Global Ministries  
United Methodist Church  
United Synagogue of America  
Women's American ORT  
Women's League for  
Conservative Judaism  
Women's Rabbinic Network

## TESTIMONY SUBMITTED

to the

## ALASKA HOUSE HEALTH EDUCATION AND SOCIAL SERVICES COMMITTEE

by

**THE RELIGIOUS COALITION FOR ABORTION RIGHTS**

on

## THE PROPOSED LEGISLATION REPRODUCTIVE PRIVACY ACT, HB 268

April 24, 1991

HPX-20-51 170 12.88

The Religious Coalition for Abortion Rights is pleased to submit testimony to the Alaska legislature regarding a bill for an act providing for a woman's right to choose abortion without governmental interference, protecting the right to use birth control; relating to payment for abortions under Medicaid and general relief medical assistance; and providing for an effective date. We encourage you as legislators to support House Bill No. 268.

Contrary to common perception, religious doctrine does not speak with a single voice nor declare a single stand on the abortion issue. Each of the 35 national mainline Protestant, Jewish and other faith groups who comprise the Religious Coalition for Abortion Rights approaches the issue from the unique perspective of their own theology with members holding widely varying viewpoints as to when abortion is morally justified. Our coalitional members, who include among others Reform and Conservative Judaism and offices of the Methodist Church, the Presbyterian Church and the United Church of Christ, do not take the issue of abortion lightly. We hold in high regard both the value of potential life and freedom of choice.

The issue of abortion reveals sincere religious beliefs and intense religious differences. Religious views on the abortion issue range from the belief that abortion is an obligation if needed to preserve the life or well-being of the pregnant woman to the belief that abortion is a sin forbidden by divine authority. Within this spectrum are other views including that which promotes responsible parenthood and the preservation of the health and well-being of existing, living persons as among the highest religiously commanded obligations.

This plurality of beliefs in the religious community necessitates that the abortion decision must remain with the individual to be made on the basis of conscience and personal religious conviction, free from governmental interference. Our country's Bill of Rights that guarantees religious freedom to all, requires no less.

Many Protestant and Jewish faith groups have developed a rational and sensitive response to the abortion debate based on the following sound principles.

- o First, that in our pluralistic society, no one religious viewpoint on the beginning of human life should be imposed on all Americans by secular law.
- o Second, that abortion is a moral and theological concern, and that an abortion decision should be the result of thoughtful consideration, based on one's own conscience and religious beliefs.
- o Third, that there are some instances in which abortion may be a moral alternative to a problem pregnancy.

Beyond these sound principles, much diversity in doctrine and belief exists.

People of faith in the "pro-life movement" who are working for a Constitutional "human life" amendment to ban abortions argue that the Bible teaches: (1) that the fetus is a person from the moment of conception, and (2) that abortion is murder.

Roman Catholic theology requires baptism of the fetus after it has become "ensouled." The question of time of "ensoulment" has a long and varied history in the Roman Catholic Church. In the Middle Ages, following Aristotelian philosophy, it was assumed that a male fetus was ensouled after 40 days. The female fetus was ensouled at 80 days. In the 13th Century, St. Thomas Aquinas affirmed that upon conception the fetus is a vegetable, later evolving into an animal, and at two months, becoming human.

The present doctrine that life begins at the moment of conception and that abortion is murder is based on pronouncements of Pope Sixtus V in 1588, Pope Pius IX in 1869 and most recently on the 1968 encyclical of Pope Paul VI, "Humane Vitae." In the encyclical, Pope Paul declared that "directly willed and procured abortion, even if for therapeutic reasons (is) to be absolutely excluded as licit means of regulating birth." Under Canon 1398 of the Code of Canon Law, a woman who secures a completed abortion is automatically excommunicated regardless of the stage of pregnancy at the time of her abortion.

The Vatican position has been shared and endorsed by some religious groups. However, there is no unanimity regarding the status of the fetus, or the precise moment at which the product of conception becomes a person within both Jewish and Christian traditions. The question of when human life begins is a matter for

the religious conscience. Neither science nor the state can make this theological determination.

Within Jewish tradition, there is considerable agreement that the fetus is not a person until birth. Abortion, therefore, is permitted and indeed may be required in situations where the life of the mother is threatened. The Talmud, a collection of Jewish civil and religious laws, attributes humanity to the fetus only after the head has emerged from the birth canal. Legal codes and rabbinic teachings depict the fetus as part of a woman's body. A woman's life, her pain, and her physical and mental well-being take precedence over that of the fetus with the belief that full, realized life takes precedence over potential life. In Reform and Conservative Jewish teachings, abortion is not equated with the destruction of life. Beyond these points of virtual consensus, however, Orthodox Judaism, and different groups within each branch of Judaism hold divergent views about the circumstances under which abortion is permitted.

Some organized religious groups adhere to basic respect for individual conscience on abortion precisely because of the variety of views held by members of these groups. On this basis, the Presbyterian Church (USA) adopted a policy statement in 1983 at the 195th General Assembly and reaffirmed it in 1989 at the 201st Assembly. The position states that "The Presbyterian Church exists within a very pluralistic environment. Its own members hold a variety of views. It is exactly this plurality of beliefs that leads us to the conviction that the decision regarding abortion must remain with the individual, to be made on the basis of conscience and personal religious principles, free from governmental interference. Just as the decision to become a parent requires a responsible exercise of stewardship, reflecting moral and religious concerns, so does the decision to not become a parent." This Presbyterian approach emphasizes that God alone is Lord of the conscience, and that God gives each individual faced with a moral choice arising from sexual activity the power and the freedom to make moral choices regarding even the most serious questions.

Respect for individual conscience is the basis for the American Baptist Churches' position of abortion. Historically, abortion has been treated as a matter for individual conscience in keeping with the religion's foundation in individual voluntary baptism and commitment to responsible families and parenthood. In 1987, the General Board of the American Baptist Churches passed a resolution which declared, "We are divided as to the proper witness of the church to the state regarding abortion. Consequently, we acknowledge the freedom of each individual to advocate for a public policy on abortion that reflects his or her beliefs."

Other Protestant Churches have declared their support for a woman's choice regarding abortion because of potential risks to the

life or physical or mental health of the mother, because of

concerns about the social situation in which the infant might be born, and because of instances of severe deformity of the fetus. The United Methodist Church, for example, resolved in 1984 and reaffirmed in 1988 that "Our belief in the sanctity of unborn human life makes us reluctant to approve abortion. Be we are equally bound to respect the sacredness of the life and well-being of the mother, for whom devastating damage may result from an unacceptable pregnancy. In continuity with past Christian teaching, we recognize tragic conflicts of life with life that may justify abortion, and in such cases we support the legal option of abortion under proper medical procedures. We cannot affirm abortion as an acceptable means of birth control (contraceptive), and we unconditionally reject it as a means of gender selection."

The Episcopal Church USA reaffirmed its support for women's rights over their own bodies at its 1988 General Convention. They urged "that any proposed legislation on the part of national or state governments regarding abortions must take special care to see that individual conscience is respected, and that the responsibility of individuals to reach informed decisions in this matter is acknowledged and honored."

In 1971, the United Church of Christ's Board of Homeland Ministries and the Center for Social Action called for freedom of choice concerning abortion, stating that "The theological and scientific views on when human life begins are so numerous and varied that one particular view should not be forced on society through its legal system. Present laws prohibiting abortion are neither just nor enforceable." In 1987, the Sixteenth General Synod of the United Church of Christ, "while recognizing (abortion's) moral ambiguity and urging that alternatives to abortion always be fully and carefully considered," upheld "the right of women to have . . . safe, legal abortions as one option among others." The synod also urged pastors, members and local churches "to oppose actively legislation and amendments which seek to revoke or limit access to safe and legal abortions."

There is no consensus within the religious community on the issue of abortion. There is no agreement on the question of when life begins. We hope, though, there can be some agreement and respect among Protestant, Catholic and Jewish faith groups to accept the diversity of beliefs on the issue of abortion in the context of religious freedom.

We applaud Alaska legislators for omitting any reference to the issue of parental consent and/or notification in this legislation. The issue of parental consent and/or parental notification is a very difficult issue for the Religious Coalition for Abortion Rights and our coalition members. RCAR and the religious community wholeheartedly agrees that parents should be

involved in the decisions of their children.. We recognize that most families are strong and supportive of their children and share and communicate effectively with their children.

However, RCAR also recognizes that it is impossible to legislate communication, love understanding and compassion. RCAR also recognizes that for far too many pregnant minors, parental consent and/or notification would place pregnant minors at serious risk. These risks include physical or mental abuse from one parent or both, including harm from the parent who caused the pregnancy.

While judicial bypass has often been offered as a method of reducing the harsh burden of parental consent and/or notification laws, it should be noted that such a provision still impedes access and is not an alternative to those persons who are not able to effectively communicate with court judges. More important, the issue of equity is not addressed with the adoption of judicial bypass provision. Far too many poor women and women living in rural areas do not have equal access to court systems to even exercise their rights under judicial bypass provisions. We applaud Alaska legislators for omitting any reference to the issue of parental consent and/or notification in this legislation.

Conclusion: The 35 member faith groups of the Religious Coalition for Abortion Rights find intolerable the actions of individuals and organizations to ban abortions by enacting into secular law one theological belief on the beginning of life either directly or indirectly. These efforts would prohibit the free exercise of religion to those whose beliefs allow -- and in some cases require -- abortion to be considered as a moral choice. Millions of Americans who do not share the narrow anti-choice theological view would not be able to make decisions according to the teachings of their own faith. Millions of Americans would be denied their religious freedom.

For centuries, the abortion question has not been an easy one for theologians, church groups, and people of faith. But we believe people of faith have been wise and compassionate in their judgment that the abortion decision must be available to the people, to be made with the freedom of their own conscience and religious principles and without government intervention.

We hope, however, that as a legislator bound to uphold our nation's laws, you will respect this religious diversity and maintain an individual's right to religious freedom.

# Alaska State Legislature

Legislative Research Agency



P.O. Box Y  
Juneau, AK 99811-3100  
Phone: (907) 465-3891  
Fax: (907) 463-3351

## DRAFT

April 24, 1991

### MEMORANDUM

TO: Representative Niilo Koponen

FROM: Gordon S. Harrison, Director *(gsh)*

RE: Analysis of CSHB 268  
Research Request 91.268

You requested a sectional analysis of HB 268 ("Reproductive Privacy Act") prior to a committee hearing on the bill Thursday morning, April 25. A committee substitute for HB 268 became available late in the afternoon today. At this late date, all I can attempt to do in this memorandum is offer a brief overview of each section of the committee substitute and point to aspects of the bill that raised questions on a first reading.

#### Sections 1, 5 and 6

Section 1 provides intent language for sections 5 and 6 of the bill. Its purpose is to help courts and administrators resolve any disputes that may arise in the future over the interpretation of those sections.

Section 5 allows a woman to receive an abortion under the Medicaid program if she is eligible for Medicaid and if the pregnancy threatens her life. The section specifies that the Department of Health and Social Services shall pay for an abortion for a needy woman under the Medicaid program if the abortion qualifies under federal law, and it shall pay under the fully state-funded General Relief Medical program if the abortion does not. Federal regulations currently allow Medicaid abortions only to save the life of the woman (in the past federal law also permitted Medicaid abortions when the pregnancy was the result of rape or incest). Abortions for needy women who qualify and who seek an abortion for reasons other than life endangerment (and therefore do not fall under federal guidelines) are funded under the General Relief Medical program. This section recognizes in statute the current practice of the department.

Section 6 amends the statutes dealing with the General Relief Medical program to make it clear that abortions, of both a "therapeutic" and "elective" nature, for needy women are covered by the General Relief Medical program. This section, too, recognizes current state practice.

**DRAFT**

## Section 2

Section 2 of the bill amends the current statute (AS 18.16) dealing with abortions. It adds several substantive sections to the statute. Because Section 7 of the bill repeals the existing content of the statute (AS 18.16.010; attached), these new sections become the entire content of the amended law. That is, these new sections must be read with the understanding that they do not add to but replace the existing provisions in section 010.

### AS 18.16.020

This section declares a general right to privacy on the part of women regarding childbirth. The specific legal effects of this policy statement are not clear, but its general effect is presumably to resolve ambiguities that surface later in favor of the unfettered choice of women in matters regarding childbirth and reproduction.

The word "commence" in this section (and elsewhere in the bill) may be noteworthy as a policy matter insofar as it could conceivably interfere with future efforts of the legislature to regulate surrogate parenting or to authorize the courts to impose contraception on alcoholic women with a history of producing children with fetal alcohol syndrome, for example.

### AS 18.16.030

This section is a sweeping prohibition against interference by the state in a woman's choice to get pregnant, stay pregnant, or to end her pregnancy by abortion. The "state" includes an "instrumentality of the state", such as a public corporation, a school district, or the State Medical Board, and a "political subdivision of the state", such as a municipality.

The only restrictions on "medically appropriate" abortions that the bill tolerates are certain regulations that may be adopted by the Department of Health and Social Services (DHSS) and the State Medical Board, which are discussed below.

The definition of "medically appropriate" provided by the bill in AS 18.16.090 states that the method must be "medically safe", or "recommended by a physician in the good faith exercise of the physician's best professional judgement", as these things are "regulated by generally accepted standards, licensing requirements for medical facilities, or laws governing the prescription of drugs or medical devices." This somewhat awkward definition would seem to open the door to use in the future of such methods as the French abortion pill RU 486.

**DRAFT**

AS 18.16.040

Provisions under AS 18.16.040 in the bill authorize what would appear to be minimal regulation of abortions by DHSS and the State Medical Board. The two subsections (a) and (b) distinguish between allowable regulation of abortions performed before the "point of fetal viability" and after that point, but neither, *prima facie*, seems to interfere substantially with the opportunity of obtaining a legal abortion. This contrasts with regulations in many states which curtail legal access to abortions after the point of fetal viability.<sup>1</sup>

The bill states that regulations pertaining to abortions before and after the point of fetal viability must be "consistent with established medical practice." Generally speaking, abortions after the fetus has reached the point of sustained viability outside the mother's womb are performed only in exceptional circumstances--the fetus has a defect that is incompatible with life, or the pregnancy threatens the life of the mother. Perhaps this "established medical practice" would find its way into regulation under this provision.

The "point of fetal viability" is defined in 18.16.090 of the bill as the point at which "there is a reasonable likelihood of sustained survival of the fetus outside the woman's uterus, with or without artificial aid." My understanding of these matters is that there is at least some likelihood of survival with heroic medical intervention at about 20 weeks of pregnancy. Thus, it is at approximately this point of gestation that one set of regulations would give way to the next, although the determination of viability in specific cases is to be left entirely up to the "professional judgement of the woman's physician" (AS 18.16.040 (b)(1)).

Noteworthy about regulations that pertain to abortions before fetal viability is that they may not "delay, increase the cost of, or limit the availability of an abortion" (AS 18.16.040 (a)(4)). This constraint is a significant one, because it is hard to imagine many regulations that would not arguably have these effects.

The phrase "increase the cost of" is omitted from the list of prohibited impacts of regulations permissible after fetal viability (AS 18.16.040 (b)(5)); but the phrase "limit the availability of abortion" remains. It would not be hard to find an economist who would argue that increasing the cost of something

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<sup>1</sup>The U.S. Supreme Court decision in *Roe v. Wade* did not prohibit abortions after fetal viability. A summary of the Court's ruling said: ". . . subsequent to approximately the end of the first trimester the state may regulate abortion procedure in ways reasonably related to maternal health, and at the stage subsequent to viability the state may regulate and even proscribe abortion except where necessary in appropriate medical judgment for preservation of life or health of mother." (*Roe v. Wade* 03 S.Ct.705 [1973]).

# DRAFT

Representative Koponen  
April 24, 1991  
Page 4

limits its availability. Therefore, the significance of the omission may not be great.

A provision of this section that distinguishes allowable regulation of abortion after fetal viability from allowable regulation before fetal viability is the requirement that the regulation be "designed to protect the health of the fetus without impairing or risking the impairment of the life or health of the woman undergoing the abortion" (AS 18.16.040 (b)(2)). If the health of the fetus is to be protected, the abortion is no longer an abortion in common parlance. It becomes a premature delivery of some kind. Indeed, survival of the fetus would seem to defeat the purpose of most abortions.

## AS 18.16.050

Subsection (a) is included to prevent a state or municipal agency from asserting independent authority to regulate abortions (such as a local ordinance authorizing the exercise of health powers, for example).

Subsection (b) indicates that only physicians are to perform abortions. Abortions are a medical procedure, and they are recognized as such by the bill. In indirect fashion this provision replaces AS 18.16.010 (a)(1) in current law, which would be repealed by the bill.<sup>2</sup>

## AS 18.16.090

This section offers definitions of "interfere with," "medically appropriate," "pregnancy," and "viability."

## Section 3

This entire section has the simple purpose of amending the licensing statutes for doctors by including in the grounds for imposition of disciplinary sanctions in AS 08.64.326 a violation of a regulation adopted by DHSS or the State Medical Board under AS. 18.16.040.

## Section 4

The effect of this section is to clarify that parental consent is not required by a minor seeking an abortion. An opinion of the attorney general has found

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<sup>2</sup>AS 18.16.010 states "(a) An abortion may not be performed in this state unless (1) the abortion is performed by a physician or surgeon licensed by the State Medical Board under AS 08.64.200."

**DRAFT**

current statutory language requiring parental consent (AS 18.16.010 (3)) to be unconstitutional.

#### Section 7

This section of the bill repeals two existing statutory provisions: AS 08.64.105 and AS 18.16.010.

AS 08.64.105 authorizes the State Medical Board to adopt regulations implementing AS 18.16.010 and otherwise set standards for the performance of abortions. This provision would be replaced by AS 18.16.040 in the bill. Existing regulations adopted pursuant to this provision, 12 AAC 40.060-140, would be nullified.

The only provision of AS 18.16.010 that CSHB 268 seems to continue is the requirement that abortions be performed by licensed physicians. The remaining provisions are dropped (or explicitly reversed). Thus, DHSS would no longer be directed to approve facilities that perform abortions; there would be no durational residency requirement (which is of dubious legality); consent would not be required for minor women (which is also of legal suspect); and there would be no explicit liability protection for a medical practitioner who chose not to participate in an abortions.

#### Section 8

This section provides the effective date clause.

# Alaska State Legislature

Legislative Research Agency



P.O. Box Y  
Juneau, AK 99811-3100  
Phone: (907) 165-3991  
Fax: (907) 163-3351

April 23, 1991

## MEMORANDUM

TO: Representative Niilo Koponen

FROM: Maureen Weeks <sup>MW</sup>  
Legislative Analyst

RE: State-Funded Abortions in Alaska  
Research Request 91.260

You asked for information about state-funded abortions for Alaskans. The first part of this memorandum provides statistics about abortions funded from 1988 to 1990 under the state's public assistance programs for low-income people. The second part lists the source of state funds for abortion.

### State-Funded Abortions: 1988-1990

The attached tables show state-funded abortions over the three-year period 1988-1990. Tables 1 through 4 analyze state-funded abortions by the pregnant woman's age and race, by whether the abortion was performed in or out of Alaska, and finally, by cost to the state.<sup>1</sup>

In summary, the tables show that between 1988 and 1990, the state funded an average of 606 abortions per year, at an average cost of \$552 per abortion (not counting transportation). Very few of these state-funded abortions were performed outside Alaska. The state paid for only two out-of-state abortions in 1988, nine in 1989 and 51 in 1990.

More than half of state-funded abortions between 1988 and 1990 were for women aged 22-30 and one third more were for women aged 13-21. More than half were for white women and almost one-third more were for Native women. Almost one-fifth of abortions were for women of other races. (To compare, white women make up 77 percent of the state's female population of childbearing age, while Native women make up 14 percent and women of other races account for less than five percent.)

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<sup>1</sup>The tables combine three years in an effort to provide a larger sample and avert statistically unreliable variations which can be caused by small numbers.

*Leg. Research - State Funded Abortions*

Representative Koponen  
April 23, 1991  
Page 2

This racial mix among recipients of state-funded abortions is not unlike the mix in Medicaid and other assistance programs, where minority races are represented at rates higher than their rate in the total population. For example, comparing Alaskans who received Food Stamps in March 1991 with Alaskans who received state-funded abortions between 1988 and 1990 shows that whites received 57.6 percent of Food Stamps and 51 percent of state-funded abortions. Natives received 36.9 percent of Food Stamps and 31.6 percent of state-funded abortions.<sup>2</sup>

### Source of Funds

In Alaska, state funds are used to pay for abortions for low-income pregnant women who receive public health assistance through the state's Medicaid or General Relief Medical programs.<sup>3</sup> Abortions are paid for from these two funds.

Medicaid uses both state and federal money to pay providers who care for eligible, low-income Alaskans. Generally, the state pays about half the cost of health care under Medicaid and the federal government pays the other half. This is not the case for abortions for low-income women, however. By regulation, federal Medicaid money may be used to abort only those pregnancies which threaten the life of the pregnant woman.

In Alaska, other abortions for qualifying low-income pregnant women are funded through the state General Relief Medical program. This program uses state money to pay providers for the cost of emergency health care for participants; it does not use federal funds. Recipients are eligible for one month only; those who need additional medical care at the end of a month must submit a new application.

I hope this information is useful to you. Please call me if you have any questions.

Attachments

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<sup>2</sup>Statistics provided by Division of Medical Assistance, Alaska Department of Health and Human Services.

<sup>3</sup>Low-income pregnant women are eligible for both state and federal Medicaid funds. Others eligible for Medicaid include people who receive money from Aid to Families with Dependent Children, Old Age Assistance, Aid to the Blind, Aid to the Disabled and the federal Supplemental Security Income program. The General Relief Medical program covers poor adults who do not qualify for Medicaid because they do not meet the "categorical" requirement of Medicaid, such as blindness, disability and being older than age 65.

**TABLE 1**  
**State-Funded Abortions by Age of the Client, FY 88-90**

	<u>13-16 yrs.</u>	<u>17-21 yrs.</u>	<u>22-30 yrs.</u>	<u>30+ yrs.</u>
Total number 1988-90	79	531	926	282
Percent of all state-funded abortions	4.4	29.0	51.0	15.5
Average number per year	26	177	309	94

Source: Division of Medical Assistance, Alaska Department of Health and Social Services, 1991.

**TABLE 2**  
**State-Funded Abortions by Race of the Client, FY 88-90**

	White	AK Native	Other
Total Number, 1988-90	925	575	318
Average per year	308	192	106
Percent of all state-funded abortions	51.0	31.6	17.5
Percent of all Food Stamps recipients, March 1991	50.6	36.9	12.5

Source: Division of Medical Assistance, Alaska Department of Health and Social Services and Alaska Department of Labor.

Prepared by the Legislative Research Agency, April 1991 (91.260A).

**TABLE 3**  
**State-Funded Abortions Inside and Outside Alaska, FY 88-90**

<u>Year</u>	<u>In-state</u>		<u>Out-of-State</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
1988	461	99.6	2	.4
1989	720	98.8	9	.2
1990	<u>575</u>	91.8	<u>51</u>	8.2
Total	1,756	96.6	62	3.4

Source: Division of Medical Assistance, Alaska Department of Health and Social Services, 1991.

**TABLE 4**  
**Cost of State-Funded Abortions, FY 88-90 (1)**

<u>Year</u>	<u>Abortions</u>	<u>Total Cost</u>	<u>Cost/Abortion</u>
1988	463	\$210,008	\$453.58
1989	729	\$423,111	\$580.39
1990	626	\$370,507	\$591.86
Total, 1988-90	1,818	\$1,003,626	\$552.05

Source: Division of Medical Assistance, Alaska Department of Health and Social Services, 1991.

(1) Cost does not include transportation.

Prepared by the Legislative Research Agency, April 1991 (91.260B).

**7 AAC 43.140. ABORTIONS.** (a) Payment for abortions may be covered under medicaid when the physician services invoice is accompanied by certification that one of the following conditions exists:

- (1) the life of the mother would be endangered if the pregnancy were carried to term;
- (2) severe and long-lasting physical health damage to the mother would result if the pregnancy were carried to term; or
- (3) pregnancy is the result of rape or incest.

(b) Procedures which are not covered under this section will be covered under General Relief Medical, 7 AAC 47. (Eff. 8/18/79, Register 71)

Authority: AS 47.05.010  
AS 47.07.030  
AS 47.07.050

**7 AAC 43.825. PROGRAM.** Family planning services will be covered by medicaid when provided by family planning clinics under the Division of Public Health, local health departments, student health services, private family planning clinics, or private physicians. Drugs, supplies, devices, and medical procedures provided by a physician or under physician supervision will be covered under this chapter. (Eff. 8/18/79, Register 71)

Authority: AS 47.05.010  
AS 47.07.050

**7 AAC 43.835. DEFINITION.** In 7 AAC 43.825 — 7 AAC 43.835, "family planning services" refers to those services and materials provided with the purpose of postponing, avoiding, or terminating pregnancy, including the dispensing of birth control drugs and devices for males and females, and the performance of vasectomies, sterilizations, and abortions for the purpose of avoiding or terminating pregnancy. (Eff. 8/18/79, Register 71)

Authority: AS 47.05.010  
AS 47.07.050

*Medicaid - General Relief Medical Regs*

**7 AAC 47.210. EXCLUSIONS FROM GENERAL RELIEF MEDICAL PROGRAM.** Notwithstanding any other provisions contained in this chapter or 7 AAC 43, a payment may not be made under the General Relief Medical program for any expense

- (1) that is for major medical care not determined necessary by the professional review organization on contract with the division of medical assistance;
- (2) that is for nursing home care not approved by the division of medical assistance;
- (3) for items and services not properly prescribed or determined necessary by a health care practitioner;
- (4) for more than 12 outpatient physician visits by a recipient in a calendar year;
- (5) for outpatient physician visits that are not for a recipient with a diagnosis as described in 7 AAC 47.271(b);
- (6) if persons are in the care and custody of penal facilities, including juveniles in detention facilities;
- (7) for an elective procedure other than a pregnancy-related service as defined in 7 AAC 47.290;
- (8) if the expense is for the first \$50 of each day of hospital stay up to a maximum of \$200 per hospital admission for major medical care;
- (9) if the expense is for a prescription drug or prescribed medical supply for a recipient who does not have a diagnosis specified in 7 AAC 47.271(b);
- (10) repealed 7/1/87.

(Eff. 3/23/78, Register 65; am 5/2/79, Register 70; am 4/15/82, Register 82; am 5/25/82, Register 84; am 8/1/86, Register 99; am 11/28/86, Register 100; am 7/1/87, Register 103)

Authority: AS 47.50.010  
AS 47.25.170

**7 AAC 47.200. GENERAL RELIEF MEDICAL COVERAGE.** The General Relief Medical program provides payment on behalf of needy persons who are eligible under the provisions of this chapter for any of the following services:

- (1) major medical care as defined in 7 AAC 47.290;
- (2) skilled nursing home care;
- (3) intermediate nursing home care;
- (4) physician services if
  - (A) related to major medical care provided in a hospital on an inpatient basis;
  - (B) provided in a hospital emergency room the same day on which the recipient is admitted for major medical care;
  - (C) provided to a recipient residing in a nursing home;
  - (D) provided in either an outpatient or an inpatient setting to a recipient with a diagnosis described in 7 AAC 47.271(b); or
  - (E) provided for pregnancy-related services;
- (5) outpatient laboratory and x-ray services provided in conjunction with pregnancy-related services or nursing home care;
- (6) medical transportation related to major medical care, nursing home care, or pregnancy-related services;
- (7) outpatient surgical center services provided in conjunction with pregnancy-related services or nursing home care;
- (8) prescribed drugs and medical supplies for a recipient with a specific diagnosis as described in 7 AAC 47.271(b);
- (9) repealed 7/1/87.

(Eff. 3/23/78, Register 65; am 5/2/79, Register 70; am 5/17/82, Register 82; am 5/25/82, Register 82; am 9/23/84, Register 91; am 8/1/85, Register 95; am 8/1/86, Register 99; am 11/28/86, Register 100; am 7/1/87, Register 103)

Definitions  
applic. to  
Gen. Relief Medical

7 AAC 47.290. DEFINITIONS. In 7 AAC 47.010 — 7 AAC 47.290

(1) "prescribed drug" means a simple or compound substance, or mixtures of substances, prescribed for the cure, mitigation, or prevention of disease, or for health maintenance that is prescribed by a physician or other licensed practitioner of the healing arts within the scope of practice as defined and limited by federal and state law,

and is dispensed by a licensed pharmacist on a valid prescription that is recorded and maintained in the pharmacist's records;

(2) "disabled" or "disability" means being unable to or the inability to engage in substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months;

(3) "elective procedure" means a procedure that is subject to the choice or decision of the patient or physician regarding medical services that are advantageous to the patient but not necessary to prevent the death or disability of the patient;

(4) "major medical care" means non-elective inpatient hospital services that cannot be performed on an outpatient basis and that are certified as necessary by the professional review organization contracted by the division of medical assistance;

(5) "pregnancy-related service" or "pregnancy-related services" means a service or services reasonably necessary for an abortion;

(6) "recipient" means an individual who is financially eligible for General Relief Medical assistance and who may receive a covered medical service if determined to be eligible to receive the service. (Eff. 8/1/85, Register 95; am 12/4/85, Register 96; am 8/1/86, Register 99; am 11/26/86, Register 100)

Authority: AS 47.05.010  
AS 47.25.120  
AS 47.25.170

# DIVISION OF LEGAL SERVICES

## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811  
(907) 465-3867 or 465-2450  
FAX (907) 465-2029

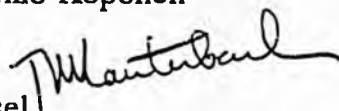
Deliveries to: 240 Main Street  
Court Plaza, Room 500  
Mail Stop 3101

### MEMORANDUM

April 23, 1991

**SUBJECT:** Reproductive Privacy Act  
CSHB 268( ); 7-LS0791\J (4/22/90)

**TO:** Representative Niilo Koponen

**FROM:** Terri Lauterbach   
Legislative Counsel

CSHB 268( ) clarifies a number of provisions in the original bill.

AS 18.16.030 and 18.16.040 are rewritten in this CS to clarify that the state can regulate (within limits), but not prohibit, abortions that are performed after the point of fetal viability. The original bill was not as clear as it could have been on this matter.

AS 18.16.040(a) is modified so that it applies only to abortions performed before fetal viability. A new subsection is added at AS 18.16.040(b) to apply to abortions performed after fetal viability. The authority of the State Medical Board to adopt regulations has been added to both subsections; the board would be bound by the same limitations that are placed on regulations of the Department of Health and Social Services.

In addition, the CS adds a new section at AS 18.16.050 to clarify the relationship between the laws that would be enacted by this bill and other laws. AS 18.16.050(a) clarifies that other laws could not be used to justify abortion regulations. This subsection, or something like it, is advisable if you want to prevent agencies or political subdivisions from pointing to other laws as independent authority for abortion regulation. For instance, DHSS has broad authority under other laws to protect health and license hospitals, and the State Medical Board has broad authority relating to the practice of medicine. Local boards of health also have broad health authority. The intent of this new subsection is to make it clear that these other sources of authority could not be used for regulating abortions.

AS 18.16.050(b) clarifies that this bill is not intended to allow a nonphysician to perform an abortion if the abortion procedure is within the practice of medicine.

*Legal Services memo re changes in CSHB 268( )*

Representative Niilo Koponen

April 23, 1991

Page 2

Since the original bill prohibited regulations that would make an abortion more expensive, it arguably would have prohibited a requirement that a physician be used for an abortion procedure that is within the practice of medicine. On the other hand, this subsection would not require use of a physician if an abortion method is available that does not fall within the practice of medicine. (I'm not sure what that method might be, but technologies are always changing.)

Sec. 4 is clarified by adding "termination" in paragraph (4). "Treatment" of pregnancy arguably already includes an operation to terminate the pregnancy, but the addition of "termination" makes this crystal clear. New language is also added at the beginning and the end of paragraph (4) to clarify that a minor can give consent to the services covered by paragraph (4) without parental contact. Paragraph (4), as a more specific provision than paragraph (2), would most likely be construed to supersede paragraph (2) even without the added language; the added language just makes it more clear.

I hope this explanation of the changes is helpful to you. If I can be of further assistance on this matter, please let me know.

TML:pl  
91-292.plm

Alaska State Legislature  
Representative Niilo Koponen

Pouch V  
Juneau, Alaska 99811  
(907) 465-4992

House District 21

119 N. Cushman, Suite 207  
Fairbanks, Alaska 99701  
(907) 456-8172

SPONSOR STATEMENT

House Bill 268

"An Act providing for a woman's right to choose abortion without governmental interference; protecting the right to use birth control; relating to payment for abortions under Medicaid and general relief medical assistance; and providing for an effective date."

As state legislators, we are committed to the enactment of laws that enhance democracy and promote constitutional values. Freedom of choice is an important right of privacy. I believe in equality before the law and will not support any legislation that can only be enforced against women.

House Bill 268 declares that an individual decision to commence, prevent, continue or terminate a pregnancy is a matter of profound personal choice. It would clearly pronounce that the public policy of the State of Alaska is to prevent governmental interference with both the rights of all individuals to use birth control and the rights of all women to choose childbirth or to obtain a safe and legal abortion. This bill permits the Department of Health and Social Services to adopt regulations relating to abortion only if those regulations (1) are designed to protect the life or health of a woman undergoing an abortion; (2) constitute the least restrictive means of furthering the state's interest in the woman's life or health; (3) are consistent with established medical practice; and (4) do not delay, increase the cost of, or limit the availability of an abortion. Further, the Department shall pay for abortion procedures to the extent permitted under federal law.

Reproductive privacy, including abortion, is a matter of individual conscience, not governmental coercion. Reproductive choices of Alaskans must be protected by law.

*Sponsor Statement*

Representative Nillo Koponen  
Floor Speech  
How Public Policy Should be Made  
April 10, 1991

Last Monday I attended one of the hearings on confirmation and the co-chair of that committee asked the commissioner-elect what his position was in regard to the issue of abortion and whether he was going to carry out the existing laws.

The commissioner said that they were going to reconsider the use of general relief medical funds and to try to develop a policy that would encourage people to put their unwanted children up for adoption rather than paying for abortion for low income women. This is a very private kind of decision. I cannot imagine anyone going into it with any pleasure. I don't even like to go to the dentist and a medical procedure like an abortion is something one does not undertake lightly.

The commissioner went on to say that they were looking to come into line with a stated intent of the President of the United States (which is not incidently public policy by federal law, nor is it in line with the public policy as stated in *Rowe vs. Wade* by the Supreme Court of the United States). This kind of policy, if it were adopted unilaterally, by regulation, by the department, would be discriminatory in two ways. For one thing it would be in directed only against women and for another thing it would subdivide that class of human beings into two; the well to do and the poor. It would discriminate solely against poor women. I cannot believe that really had been the thought of the commissioner himself if he really thinks the question through.

But the major problem from the viewpoint of this House is that public policy is determined by law, by the statutes we write and by the budgets we write. We have put money into general relief medical with the intent that those services would be available and any other medical services that are needed by women who cannot otherwise afford them. I think that to even contemplate unilaterally without the concurrence of the legislature expressed in statute, this sort of easing away from the constitutional powers of the legislature, this sort of creating essentially a system of administrative government, essentially a modern type of czarism, is unconscionable and I don't think we should stand for it.

I would like to invite those of you who are interested in signing on to the legislation on this matter that was submitted today.

Thank you.



# Alaska State Legislature

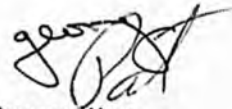
## HOUSE OF REPRESENTATIVES

Official Business

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

### MEMORANDUM

TO: House HESS Committee Members

FROM: Representative Georgianna Lincoln, Co-Chair  
Representative Pat Carney, Co-Chair  
House Health, Education and Social Services Committee 

DATE: May 16, 1991

RE: CS HB 268 ( ) - Reproductive Privacy Act

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Attached is a memo we received from Rep. Niilo Koponen requesting we distribute the attached proposed CS for HB 268 to each member of the HESS Committee since we will not have time to address the bill this session.

Alaska State Legislature  
Representative Niilo Koponen

Pouch V  
Juneau, Alaska 99811  
(907) 465-4992

House District 21

119 N. Cushman, Suite 207  
Fairbanks, Alaska 99701  
(907) 456-8172

M E M O R A N D U M

**To:** Representative Georgianna Lincoln and Representative Pat Carney  
Co-Chair's House Health Education and Social Services Committee

**From:** Representative Niilo Koponen 

**Re:** HB 268 "Relating to Reproductive Privacy"

**Date:** May 13, 1991

---

I respectfully request that the House Health, Education and Social Services Committee review and adopt the current Committee Substitute for HB 268 before the close of the legislative session.

Due to the controversial nature of this legislation and the impending close of the session, members of the Legislature will soon return to their home districts and be questioned on this. The current CS will answer many of those questions. If legislators have the current adopted CS, they should feel more at ease when they meet with their constituents. It is for this reason that I urge you to adopt the CS or at a very minimum, distribute the CS to your committee members for their information and review.

Thank you for your attention to this matter.

7-LS0791P ✓  
Lauterbach  
4/30/91

CS FOR HOUSE BILL NO. 268 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KOPONEN, Boyer, Ellis, Finkelstein, Lincoln, C.Davis, Donley, Moyer, Navarre, Ulmer, Gruenberg, Brown, Bruckman

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for a woman's right to choose abortion without undue governmental  
2 interference; protecting the right to use birth control; relating to medical services provided  
3 to minors; relating to payment for abortions under Medicaid and general relief medical  
4 assistance; and providing for an effective date."

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

6 \* Section 1. INTENT. The intent of AS 47.07.067 and AS 47.25.197, enacted by secs. 5 and 6 of  
7 this Act, is to confirm that statutes in effect on the day before enactment of this Act require payment  
8 for abortion services under AS 47.07 (Medicaid program) and AS 47.25.120 - 47.25.300 (general relief  
9 medical assistance). AS 47.07.067 and AS 47.25.197 are intended to continue the already required  
10 practice of paying for abortions to the extent that they were paid for under AS 47.07, AS 47.25.120 -  
11 47.25.300, 7 AAC 43.140, 7 AAC 43.825, 7 AAC 43.835, 7 AAC 47.210(7), 7 AAC 47.200(4)(E),  
12 7 AAC 47.290(3) and (5), and related regulations, as they were in effect on April 10, 1991.

13 \* Sec. 2. AS 18.16 is amended by adding new sections to read:

14 Sec. 18.16.020. DECLARATION OF PUBLIC POLICY. The legislature finds and

1 declares that an individual decision to commence, prevent, continue, or terminate a pregnancy  
2 is a matter of profound personal choice. It is the public policy of the state to prevent  
3 governmental interference with the rights of all individuals to use birth control and the rights of  
4 all women to choose childbirth or to obtain a safe and legal abortion, as described in this chapter.

5 Sec. 18.16.030. PROTECTION OF REPRODUCTIVE CHOICE. (a) Except as provided  
6 in AS 18.16.040 and 18.16.050, the state, an instrumentality of the state, or a political subdivision  
7 of the state may not interfere with a woman's personal choice to commence, prevent, continue,  
8 or terminate a pregnancy.

9 (b) The state, an instrumentality of the state, or a political subdivision of the state may  
10 not interfere with the use of medically appropriate methods of contraception or abortion or the  
11 manner in which medically appropriate methods of contraception or abortion are provided.

12 Sec. 18.16.040. REGULATIONS. (a) The Department of Health and Social Services  
13 and the State Medical Board may adopt regulations relating to abortions performed before the  
14 point of fetal viability but only if the regulations

15 (1) protect the life or health of a woman undergoing an abortion;

16 (2) constitute the least restrictive means of furthering the state's interest in the  
17 woman's life or health;

18 (3) are not inconsistent with established medical practice; and

19 (4) do not delay, increase the cost of, or limit the availability of an abortion.

20 (b) The Department of Health and Social Services and the State Medical Board may  
21 adopt regulations relating to abortions performed after the point of fetal viability, but only if the  
22 regulations

23 (1) leave the determination of viability completely within the professional  
24 judgment of the woman's physician and do not interfere with the exercise of that judgment;

25 (2) protect the health of the fetus without impairing or risking the impairment of  
26 the life or health of the woman undergoing the abortion;

27 (3) constitute the least restrictive means of furthering the state's interest in the  
28 health of the woman and the fetus;

29 (4) are not inconsistent with established medical practice; and

30 (5) do not delay, prohibit, or limit the availability of abortion.

31 Sec. 18.16.050. PHYSICIAN REQUIREMENT. (a) A person may not perform an

1 abortion in this state unless the person is licensed as a physician under AS 08.64.200.

2 (b) Violation of this section is a class C felony.

3 (c) This section does not apply to the woman upon whom the abortion is performed.

4 Sec. 18.16.060. REFUSAL TO PERFORM ABORTION; REFERRAL. (a)

5 Notwithstanding other provisions of this chapter, a physician, nurse, or other individual may  
6 refuse to participate in the performance of an abortion if the refusal is based on conscientious or  
7 religious beliefs.

8 (b) A physician who refuses to perform an abortion for a woman who has consulted the  
9 physician about having an abortion shall refer the woman to another health care provider in  
10 accordance with professional standards.

11 Sec. 18.16.070. APPLICABILITY OF OTHER LAWS. (a) This chapter constitutes the  
12 only authority under which the state, an instrumentality of the state, or a political subdivision of  
13 the state may regulate abortions. To the extent that other laws of this state authorize regulations  
14 that may affect abortions, those laws shall be construed to be limited by this chapter.

15 (b) This chapter may not be construed to authorize the unlicensed practice of medicine.

16 Sec. 18.16.090. DEFINITIONS. In this chapter,

17 (1) "interfere with" includes restrict, infringe, prevent, impede, prohibit, limit,  
18 penalize, burden, or engage in an activity, whether intentional or unintentional, that creates a  
19 disparate treatment or adverse effect;

20 (2) "medically appropriate" means generally recognized as medically safe and  
21 effective or recommended by a physician in the good faith exercise of the physician's best  
22 professional judgment, as regulated by generally accepted standards, licensing requirements for  
23 medical facilities, or laws governing the prescription of drugs or medical devices;

24 (3) "pregnancy" means the reproductive process beginning with the implantation  
25 of a fertilized ovum in the uterus;

26 (4) "viability" means the point at which, in the professional judgment of the  
27 woman's physician, based upon the particular facts of the case, there is a reasonable likelihood  
28 of sustained survival of the fetus outside the woman's uterus, with or without artificial aid.

29 Sec. 18.16.100. SHORT TITLE. This chapter may be cited as The Reproductive Privacy  
30 Act.

31 \* Sec. 3. AS 08.64.326(a) is amended to read:

- 1 (a) The board may impose a sanction if the board finds after a hearing that a licensee  
2 (1) secured a license through deceit, fraud, or intentional misrepresentation;  
3 (2) engaged in deceit, fraud, or intentional misrepresentation while providing  
4 professional services or engaging in professional activities;  
5 (3) advertised professional services in a false or misleading manner;  
6 (4) has been convicted, including conviction based on a guilty plea or plea of nolo  
7 contendere, of  
8 (A) a felony or other crime if the felony or other crime is substantially  
9 related to the qualifications, functions, or duties of the licensee; or  
10 (B) a crime involving the unlawful procurement, sale, prescription, or  
11 dispensing of drugs;  
12 (5) has procured, sold, prescribed, or dispensed drugs in violation of a law,  
13 regardless of whether there has been a criminal action;  
14 (6) intentionally or negligently permitted the performance of patient care by  
15 persons under the licensee's supervision that does not conform to minimum professional  
16 standards even if the patient was not injured;  
17 (7) failed to comply with this chapter, a regulation adopted under this chapter, or  
18 an order of the board;  
19 (8) has demonstrated  
20 (A) professional incompetence, gross negligence, or repeated negligent  
21 conduct; the board may not base a finding of professional incompetence solely on the  
22 basis that a licensee's practice is unconventional or experimental in the absence of  
23 demonstrable physical harm to a patient;  
24 (B) addiction to, severe dependency on, or habitual overuse of alcohol or  
25 other drugs that impairs the licensee's ability to practice safely;  
26 (C) unfitness because of physical or mental disability;  
27 (9) engaged in unprofessional conduct or in lewd or immoral conduct in  
28 connection with the delivery of professional services to patients;  
29 (10) has violated AS 18.16.060(b) or a regulation adopted under AS 18.16.040  
30 [AS 18.16.010];  
31 (11) has violated any code of ethics adopted by regulation by the board;

1 (12) has denied care or treatment to a patient or person seeking assistance from  
2 the physician if the only reason for the denial is the failure or refusal of the patient to agree to  
3 arbitrate as provided in AS 09.55.535(a); or

4 (13) has had a license or certificate to practice medicine in another state or  
5 territory of the United States, or a province or territory of Canada suspended or revoked unless  
6 the suspension or revocation was caused by the failure of the licensee to pay fees to that state,  
7 territory, or province.

8 \* Sec. 4. AS 09.65.100(a) is amended to read:

9 (a) Medical and dental services for minors are governed by the following provisions:

10 [EXCEPT AS PROHIBITED UNDER AS 18.16.010(a)(3),]

11 (1) a minor who is living apart from the minor's parents or legal guardian and  
12 who is managing the minor's own financial affairs, regardless of the source or extent of income,  
13 may give consent for medical and dental services for the minor;

14 (2) a minor may give consent for medical and dental services if the parent or legal  
15 guardian of the minor cannot be contacted or, if contacted, is unwilling either to grant or  
16 withhold consent; however, where the parent or legal guardian cannot be contacted or, if  
17 contacted, is unwilling either to grant or to withhold consent, the provider of medical or dental  
18 services shall counsel the minor keeping in mind not only the valid interests of the minor but also  
19 the valid interests of the parent or guardian and the family unit as best the provider presumes  
20 them;

21 (3) a minor who is the parent of a child may give consent to medical and dental  
22 services for the minor or the child;

23 (4) notwithstanding (2) of this subsection, a minor may give consent for  
24 diagnosis, prevention, termination, or treatment of pregnancy, and for diagnosis and treatment  
25 of venereal disease; a person who provides services to a minor under this subsection or who  
26 is employed or otherwise associated with a person who provides services to a minor under  
27 this subsection may not notify the minor's parent or guardian about the provision of  
28 services unless the minor gives written consent to the notification; the minor's physician-  
29 patient relationship and the minor's records shall be accorded the confidentiality, privileged  
30 status, and privacy protection afforded to other physician-patient relationships and records;

31 (5) the parent or guardian of the minor is relieved of all financial obligation to

1 the provider of the service under this section.

2 \* **Sec. 5.** AS 47.07 is amended by adding a new section to read:

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

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

7 \* **Sec. 6.** AS 47.25 is amended by adding a new section to read:

8 Sec. 47.25.197. PAYMENT FOR ABORTIONS. Notwithstanding AS 47.25.200 or any  
9 other provision of law, the department shall provide medical assistance payments under  
10 AS 47.25.120 - 47.25.300 for the cost of services reasonably necessary for a therapeutic or  
11 elective abortion performed by a physician for a person who is eligible for assistance under  
12 AS 47.07 or AS 47.25.120 - 47.25.300.

13 \* **Sec. 7.** AS 08.64.105 and AS 18.16.010 are repealed.

14 \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).

**FISCAL NOTE**

**BILL NO. HB 268**

**STATE OF ALASKA**  
1991 LEGISLATIVE SESSION

Revision Date: 3/8/91 Department Affected: Health & Social Services  
 Title: An Act Providing for a woman's right to BRU: Medical Assistance  
choose abortion without governmental interference Component: Various  
 Sponsor: Boyer, ET. AL.  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 0 2 3 0

**Expenditures/Revenues: Thousands of Dollars**

<b>OPERATING</b>	<b>FY 92</b>	<b>FY 93</b>	<b>FY 94</b>	<b>FY 95</b>	<b>FY 96</b>	<b>FY 97</b>
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

**ANALYSIS:** As written HB 268 would have no fiscal effect upon the expenditures of the Medicaid of the Medicaid or General Relief-Medical programs.

Prepared By: *Kincaid, D. Busch* Phone: 465-3355

Division: Division of Medical Assistance Date: 4-22-91

Approved by Commissioner: *[Signature]*

Agency: Health and Social Services Date: 4/23/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impact Agency(ies).

*NOTICE:*

The House Health Education and  
Social Services Committee

will be meeting in **Room 519**

today only

Thursday, April 25

8:00 - 10:00 a.m.

CS FOR HOUSE BILL NO. 255 (HES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES ELLIS, C.Davis, Ulmer

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a peer counselor program."

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

3 \* Section 1. AS 47 is amended by adding a new chapter to read:

4 CHAPTER 18. ADOLESCENT PROGRAMS AND SERVICES.

5 Sec. 47.18.010. PEER COUNSELOR PROGRAM. (a) The department shall develop  
6 and implement a continuing statewide program of technical support and assistance to encourage  
7 school districts, municipalities, and nonprofit corporations incorporated under AS 10.20 that  
8 initiate implementation, or that are considering implementation, of adolescent peer counseling  
9 groups under adult supervision for

10 (1) prevention of adolescent behavioral patterns that jeopardize physical and  
11 mental health and that hamper social, educational, and personal development; and

12 (2) spreading information about services that are available to adolescents to help  
13 them with their health needs.

14 (b) The program of technical support required under (a) of this section must include

1 (1) suggested methods for maintaining a high level of adolescent, parental, and  
2 community support for peer counseling groups;

3 (2) workshops, seminars, or other training opportunities for adolescent peer  
4 counselors and their adult leaders; this training must include sessions to

5 (A) develop interpersonal communications skills;

6 (B) teach accurate health information, emphasizing sexual development;

7 (C) provide information about services that are available in the peer  
8 counselors' areas and how those services can be obtained for pregnancy prevention,  
9 prenatal care, and healthy life skills; and

10 (D) encourage adolescents to avoid major risk-taking behavior and to  
11 reinforce responsible behavior and self control;

12 (3) assistance in selecting appropriate resource materials for the groups;

13 (4) recommended mechanisms for effectively monitoring and evaluating the  
14 activities and accomplishments of the groups; and

15 (5) other similar services to assist and encourage school districts, municipalities,  
16 and nonprofit corporations incorporated under AS 10.20 in establishing and administering  
17 adolescent peer counseling groups.

18 (c) In developing the program of technical support and assistance required under (a) of  
19 this section, the department shall review and consider the activities and accomplishments in other  
20 states that have developed peer counseling networks. The department shall solicit contributions  
21 of money and expertise from the private sector that may be available for this type of program.



7-LS0791(J)  
Lauterbach  
4/22/91

CS FOR HOUSE BILL NO. 268 ( )

IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES KOPONEN, Boyer, Ellis, Finkelstein, Lincoln, C.Davis, Carney, Donley, Moyer, Navarre, Ulmer, Gruenberg, Brown, Bruckman

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for a woman's right to choose abortion without governmental  
2 interference; protecting the right to use birth control; relating to payment for abortions  
3 under Medicaid and general relief medical assistance; and providing for an effective date."

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

5 \* Section 1. INTENT. The intent of AS 47.07.067 and AS 47.25.197, enacted by secs. 5 and 6 of  
6 this Act, is to provide for payment for abortion services under AS 47.07 (Medicaid program) and  
7 AS 47.25.120 - 47.25.300 (general relief medical assistance) to the extent that they were provided under  
8 7 AAC 43.140, 7 AAC 43.825, 7 AAC 43.835, 7 AAC 47.210(7), 7 AAC 47.200(4)(E), 7 AAC  
9 47.290(3) and (5), and related regulations, as they were in effect on April 10, 1991.

10 \* Sec. 2. AS 18.16 is amended by adding new sections to read:

11 Sec. 18.16.020. DECLARATION OF PUBLIC POLICY. The legislature finds and  
12 declares that an individual decision to commence, prevent, continue, or terminate a pregnancy  
13 is a matter of profound personal choice. It is the public policy of the state to prevent  
14 governmental interference with the rights of all individuals to use birth control and the rights of

1 all women to choose childbirth or to obtain a safe and legal abortion, as described in this chapter.

2 Sec. 18.16.030. PROTECTION OF REPRODUCTIVE CHOICE. (a) Except as provided  
3 in AS 18.16.040 and 18.16.050(b), the state, an instrumentality of the state, or a political  
4 subdivision of the state may not interfere with a woman's personal choice to commence, prevent,  
5 continue, or terminate a pregnancy.

6 (b) The state, an instrumentality of the state, or a political subdivision of the state may  
7 not interfere with the use of medically appropriate methods of contraception or abortion or the  
8 manner in which medically appropriate methods of contraception or abortion are provided.

9 Sec. 18.16.040. REGULATIONS. (a) The Department of Health and Social Services  
10 and the State Medical Board may adopt regulations relating to abortions performed before the  
11 point of fetal viability but only if the regulations

12 (1) are designed to protect the life or health of a woman undergoing an abortion;

13 (2) constitute the least restrictive means of furthering the state's interest in the  
14 woman's life or health;

15 (3) are consistent with established medical practice; and

16 (4) do not delay, increase the cost of, or limit the availability of an abortion.

17 (b) The Department of Health and Social Services and the State Medical Board may  
18 adopt regulations relating to abortions performed after the point of fetal viability, but only if the  
19 regulations

20 (1) leave the determination of viability completely within the professional  
21 judgment of the woman's physician and do not interfere with the exercise of that judgment;

22 (2) are designed to protect the health of the fetus without impairing or risking the  
23 impairment of the life or health of the woman undergoing the abortion;

24 (3) constitute the least restrictive means of furthering the state's interest in the  
25 health of the woman and the fetus;

26 (4) are consistent with established medical practice; and

27 (5) do not delay, prohibit, or limit the availability of abortion.

28 Sec. 18.16.050. APPLICABILITY OF OTHER LAWS. (a) This chapter constitutes the  
29 only authority under which the state, an instrumentality of the state, or a political subdivision of  
30 the state may regulate abortions. To the extent that other laws of this state authorize regulations  
31 that may affect abortions, those laws shall be construed to be limited by this chapter.

1 (b) This chapter may not be construed to authorize the unlicensed practice of medicine.

2 Sec. 18.16.090. DEFINITIONS. In this chapter,

3 (1) "interfere with" includes restrict, infringe, prevent, impede, prohibit, limit,  
4 penalize, burden, or engage in an activity, whether intentional or unintentional, that creates a  
5 disparate treatment or adverse effect;

6 (2) "medically appropriate" means generally recognized as medically safe and  
7 effective or recommended by a physician in the good faith exercise of the physician's best  
8 professional judgment, as regulated by generally accepted standards, licensing requirements for  
9 medical facilities, or laws governing the prescription of drugs or medical devices;

10 (3) "pregnancy" means the reproductive process beginning with the implantation  
11 of a fertilized ovum in the uterus;

12 (4) "viability" means the point at which, in the professional judgment of the  
13 woman's physician, based upon the particular facts of the case, there is a reasonable likelihood  
14 of sustained survival of the fetus outside the woman's uterus, with or without artificial aid.

15 Sec. 18.16.100. SHORT TITLE. This chapter may be cited as The Reproductive Privacy  
16 Act.

17 \* Sec. 3. AS 08.64.326(a) is amended to read:

18 (a) The board may impose a sanction if the board finds after a hearing that a licensee

19 (1) secured a license through deceit, fraud, or intentional misrepresentation;

20 (2) engaged in deceit, fraud, or intentional misrepresentation while providing  
21 professional services or engaging in professional activities;

22 (3) advertised professional services in a false or misleading manner;

23 (4) has been convicted, including conviction based on a guilty plea or plea of nolo  
24 contendere, of

25 (A) a felony or other crime if the felony or other crime is substantially  
26 related to the qualifications, functions, or duties of the licensee; or

27 (B) a crime involving the unlawful procurement, sale, prescription, or  
28 dispensing of drugs;

29 (5) has procured, sold, prescribed, or dispensed drugs in violation of a law,  
30 regardless of whether there has been a criminal action;

31 (6) intentionally or negligently permitted the performance of patient care by

1 persons under the licensee's supervision that does not conform to minimum professional  
2 standards even if the patient was not injured;

3 (7) failed to comply with this chapter, a regulation adopted under this chapter, or  
4 an order of the board;

5 (8) has demonstrated

6 (A) professional incompetence, gross negligence, or repeated negligent  
7 conduct; the board may not base a finding of professional incompetence solely on the  
8 basis that a licensee's practice is unconventional or experimental in the absence of  
9 demonstrable physical harm to a patient;

10 (B) addiction to, severe dependency on, or habitual overuse of alcohol or  
11 other drugs that impairs the licensee's ability to practice safely;

12 (C) unfitness because of physical or mental disability;

13 (9) engaged in unprofessional conduct or in lewd or immoral conduct in  
14 connection with the delivery of professional services to patients;

15 (10) has violated a regulation adopted under AS 18.16.040 [AS 18.16.010];

16 (11) has violated any code of ethics adopted by regulation by the board;

17 (12) has denied care or treatment to a patient or person seeking assistance from  
18 the physician if the only reason for the denial is the failure or refusal of the patient to agree to  
19 arbitrate as provided in AS 09.55.535(a); or

20 (13) has had a license or certificate to practice medicine in another state or  
21 territory of the United States, or a province or territory of Canada suspended or revoked unless  
22 the suspension or revocation was caused by the failure of the licensee to pay fees to that state,  
23 territory, or province.

24 \* Sec. 4. AS 09.65.100(a) is amended to read:

25 (a) Medical and dental services for minors are governed by the following provisions:

26 [EXCEPT AS PROHIBITED UNDER AS 18.16.010(a)(3),]

27 (1) a minor who is living apart from the minor's parents or legal guardian and  
28 who is managing the minor's own financial affairs, regardless of the source or extent of income,  
29 may give consent for medical and dental services for the minor;

30 (2) a minor may give consent for medical and dental services if the parent or legal  
31 guardian of the minor cannot be contacted or, if contacted, is unwilling either to grant or

1 withhold consent; however, where the parent or legal guardian cannot be contacted or, if  
2 contacted, is unwilling either to grant or to withhold consent, the provider of medical or dental  
3 services shall counsel the minor keeping in mind not only the valid interests of the minor but also  
4 the valid interests of the parent or guardian and the family unit as best the provider presumes  
5 them;

6 (3) a minor who is the parent of a child may give consent to medical and dental  
7 services for the minor or the child;

8 (4) notwithstanding (2) of this subsection, a minor may give consent for  
9 diagnosis, prevention, termination, or treatment of pregnancy, and for diagnosis and treatment  
10 of venereal disease, regardless of whether the parent or legal guardian of the minor can be  
11 contacted;

12 (5) the parent or guardian of the minor is relieved of all financial obligation to  
13 the provider of the service under this section.

14 \* Sec. 5. AS 47.07 is amended by adding a new section to read:

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

17 (b) An abortion procedure not covered by federal law for a person otherwise eligible for  
18 assistance under this chapter shall be covered under AS 47.25.197.

19 \* Sec. 6. AS 47.25 is amended by adding a new section to read:

20 Sec. 47.25.197. PAYMENT FOR ABORTIONS. Notwithstanding AS 47.25.200 or any  
21 other provision of law, the department shall provide medical assistance payments under  
22 AS 47.25.120 - 47.25.300 for the cost of services reasonably necessary for a therapeutic or  
23 elective abortion performed by a physician for a person who is eligible for assistance under  
24 AS 47.07.067(b) or AS 47.25.120 - 47.25.300.

25 \* Sec. 7. AS 08.64.105 and AS 18.16.010 are repealed.

26 \* Sec. 8. This Act takes effect immediately under AS 01.10.070(c).

# HB 268

Site Sponsor	TTL	Testified	Unable	Observed
Juneau ①	1	1	2 Rep <del>17</del> 15 18	8 9
WA DC ②	1	1		
NY NY ③	1	1		
ANCH ④	27	2	17	8
Barrow ⑤	2	1	0	1
Bethel ⑥	2	2	0	0
Fairbanks ⑦	14	4	10	0
GAKONA ⑧	9	7	0	2
Glennallen ⑨	5	2	3	0
Homer ⑩	2	2	0	0
Kenny Lake ⑪	3	3	0	0
Ketchikan ⑫	26	2	15	9
Kodiak ⑬	8	2	5	1
Kotzebue ⑭	2	0	0	2
MAT-SU ⑮	5	2	3	0
Petersburg ⑯	5	2	0	3
Sitka ⑰	21	2	9	10
Slana ⑱	3	1	0	2
Soldotna ⑲	9	3	6	0
	181	48	88	47

# of sites — 19  
 # of Testified — 47 public  
 1 Sponsor  
 # Unable to Testify —  $\frac{8 \text{ public}}{2 \text{ Rep}}$   
 Observed: 47

Support: 15  
 Oppd: 32

Total: ~~181~~ 178  
 1 sponsor (TEST)  
 2 rep (Unable)  
 181

(Excludes 1 sponsor (TESTIFIED) + 2 Reps (Unable))  
 Supported: 15 + sponsor  
 Opposed Against: ~~32~~ 32  
 Reps for Anchorage

THE FOLLOWING DOCUMENT MAY NOT FILM  
LEGIBLY BECAUSE OF THE POOR QUALITY OF THE  
ORIGINAL

\*\*\*\*\*  
 \*  
 \* DELIVER TO: LHSCHES  
 \*  
 \* ORIGINAL  
 \* SENT: 04/25/91 TIME: 11:17  
 \* FROM: LTCKTN  
 \* SUBJECT: 91-04-126, FD, HB268, 4-25  
 \* PRINT DATE: 04/25/91 TIME: 11:17  
 \*  
 \*\*\*\*\*

*Ketchikan*

T/C NO: 91-04-126  
 DATE: APRIL 25, 1991  
 SPONSOR: (H) HEALTH, EDUCATION & SOCIAL SERVICES  
 SUBJECT: HB268: REPRODUCTIVE PRIVACY ACT  
 MODERATOR: RAE RHODES & JUNE ROBBINS  
 SITE: KETCHIKAN

*Ketchikan*

FINAL STATS

\*\*\*\*\*  
 TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
TERESA A. CREVIER	1123 BLACK BEAR RD.	KETCHIKAN 99901 225-6588	HB268
KIRK THOMAS, L.D.S. CHURCH	1471 TONGASS AVE	KETCHIKAN 99901 225-3655	HB268
***** UNABLE TO TESTIFY			
1. GLINORE JACOBSEN	2125 SECOND AVE.	KETCHIKAN 99901 225-3395	HB268
2. EDWARD B. MECHAM	P. O. BOX 5975	KETCHIKAN 99901 225-9306	HB268
3. BETH T. WRIGHT	3201 BARANOF, 202	KETCHIKAN 99901 225-8034	HB268
4. MARTHA DEVEREAUX	2182 S. TONGASS	KETCHIKAN 99901 225-3414	HB268
5. A. FRED MILLER	637 MAIN ST.	KETCHIKAN 99901 225-6666	HB268
6. NAOMI G. FLAIG	92 FRANKLIN ROAD S.	KETCHIKAN 99901 225-5417	HB268
7. JEANNEANE HENRY	1038 DUNTON	KETCHIKAN 99901 225-2428	HB268
8. JOHN W. REDEL	P. O. BOX 7782	KETCHIKAN 99901 225-8897	HB268
9. CAROLYN DIXON	846 WARREN	KETCHIKAN 99901 225-2044	HB268
10. TERRI KOLEAN	6069A S. TONGASS	KETCHIKAN 99901 225-2031	HB268
11. MARTA POORE	P. O. BOX 9396	KETCHIKAN 99901 247-8103	HB268
12. LARRY J. DANIEL	P. O. BOX 7831	KETCHIKAN 99901 225-2210	HB268
13. MEREDITH MARSHALL	P. G. BOX 7418	KETCHIKAN 99901 225-3877	HB268
14. JANET JOHN	P. O. BOX 7962	KETCHIKAN 99901 225-3872	HB268
15. ARLENE M. DUBOSE	2415 TONGASS AVE.	KETCHIKAN 99901 225-6298	HB268

\*\*\*\*\*  
OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	FILL NO.
1. JANCIE D. JARED 1428 FAIRY CHASM	KETCHIKAN 99901	247-9824	HB268
2. LOREECE KRAUSS, L.D.S. CHURCH P. O. BOX 3242	KETCHIKAN 99901	225-9289	HB268
3. LAURIANNE L. PAGE, L.D.S. CHURCH P. O. BOX 7121	KETCHIKAN 99901	225-0645	HB268
4. WALTER KRAUSS, L.D.S. CHURCH P. O. BOX 3242	KETCHIKAN 99901	225-9289	HB268
5. CLARENCE TENNEY, L.D.S. CHURCH P. O. BOX 1004	WARD COVE 99928	225-4363	HB268
6. RAYMOND KOLEAN 6069A S. TONGASS	KETCHIKAN 99901	225-2631	HB268
7. GREGORY S. KOLEAN 886 BROWN DEER RD.	KETCHIKAN 99901	225-3011	HB268
8. SUSAN GASS 719 GRANT ST.	KETCHIKAN 99901	225-3482	HB268
9. JUDITH MILLER 637 MAIN ST.	KETCHIKAN 99901	225-5540	HB268

\*\*\*\*\*

TESTIFIED: 2  
UNABLE: 15  
OBSERVED: 9  
TOTAL: 26

START TIME: 8:00 AM                      END TIME: 10:05 AM

KETCHIKAN  
RUE MADIER  
HB398: BESPONDICARAE LRIANCA WEL  
(N) HEVEM' EPDOWIAN P' LUCINI ZEKALCEZ

\*\*\*\*\*

\* DATE: 11/11/11  
\* TIME: 10:05 AM  
\* PAGE: 1  
\* TOTAL: 26

\*\*\*\*\*

Ancho

Anchorage

\*\*\*\*\*  
 \* DELIVER TO LHSCHES  
 \* ORIGINAL  
 \* SENT: 04/25/91 TIME 14:00  
 \* FROM: [REDACTED]  
 \* SUBJECT: 91-04-126,FS,HR 268,4-25  
 \* PRINT DATE: 04/25/91 TIME 14:00  
 \*\*\*\*\*

SUBJECT LINE TO READ: TO NO., PLAN, WHO'S SUBJECT DATE

T/C NO: 91-04-126  
 DATE: 04/25/91  
 SPONSOR: LHSCHES  
 SUBJECT: HR 268, HR 247, HR 24  
 MODERATOR: [REDACTED]  
 SITE: ANCHORAGE

FINAL STATE

\*\*\*\*\*  
 TESTIFIED:  
 NAMES REPRESENTING ADDRESS PHONE BILL NO.  
 \* THEBA [REDACTED]  
 \* BONNIE L. [REDACTED] 1065 W. [REDACTED]

\*\*\*\*\* UNABLE:

- |                          |                         |          |     |
|--------------------------|-------------------------|----------|-----|
| 1. FRANCIS T HURLEY      | 600 W 11TH              | 258-7898 | 268 |
| 2. DAVE WITT             | 3605 ARCTIC BLVD #2281  | 561-2201 | 268 |
| 3. JASON RAMPTON         | 9711 TAKLO CIR.,ER      | 694-9503 | 247 |
| 4. ILEEN SELF            | 8209 MADINE ST #2,99507 | 527-1240 | 268 |
| 5. LINDA KINGKADL        | BOX 100804,99510        | 272-7184 | 268 |
| 6. REV. STEVE GRESKOWIAK | 2200ARCTIC,99503        | 277-6731 | 268 |
| 7. JAMIE BOLLEMBACH      | BOX 201844,99520        | 276-2258 | 268 |
| 8. SUSAN ANSTINE         | 18645 PUFFIN DR.        | 311-2460 | 268 |
| 9. MICHAEL GRAF          | 215 INA,FBX,99701       | 456-3367 | 268 |
| 10. WILLIAM MOFFATT      | BOX 201586              | 344-2443 | 268 |
| 11. DONNA HURDLE         | PLANNED PARENTHOOD      | 563-2229 | 268 |
| 12. LEILA WISE           | 1101 CORDOVA #229       | 277-1330 | 268 |
| 13. JOANNE MOSESIAN      | 13700 SPEC KING RD.     | 345-3195 | 268 |
| 14. ELEANOR SPERVAK      | 1700 EASTRIDGE DR.      | 277-9616 | 268 |
| 15. JOHN WHISMAN         | 4700 E 113TH            | 346-3238 | 268 |
| 16. JOANNE HECKSTROTH    | 3020 MINNESOTA DR.      | 276-4767 | 268 |
| 17. DOUG SCHMEDLER       | 3321 E 41ST AVE,99508   | 563-3554 | 268 |

\*\*\*\*\* TO OBSERVE:

- |                      |                            |          |          |
|----------------------|----------------------------|----------|----------|
| NAME REPRESENTING    | ADDRESS                    | PHONE    | BILL NO. |
| 1. HYDRA MAYNARD     | 2237 FOREST PARK DR.,99517 |          |          |
| 2. JOANNE HODEI      | 1226 S ST.                 | 272-4305 | 268      |
| 3. ED PAWELEN        | 3301 LKSHR DR,99517        | 243-2449 | 268      |
| 4. JOEL WIEMAN       | 2526 TURNAGAIN FWAY        | 276-7374 | 268      |
| 5. SAM KITO          | 4126 A'OLLO                |          |          |
| 6. JIM COLDULE(SP)   | 245 OCEANVIEW              | 545-6316 | 268      |
| 7. ROBERTA J. WASELL | 6421 RIDGE TREE            | 346-2337 | 268      |
| 8. ANNE SPONHOLTZ    |                            |          |          |

\*\*\*\*\*  
 TESTIFIED: 2  
 UNABLE: 17  
 OBSERVED: 8  
 TOTAL: 27

STARTING TIME: 8:00 ENDING TIME: 10:05

DELIVER TO: ENCLOSED

\* ORIGINAL  
 \* SENT: 04/25/91 TIME: 10:15  
 \* FROM: LTCCBAR  
 \* SUBJECT: 91-04-126, FS, HB268, 4-25  
 \* PRINT DATE: 04/25/91 TIME: 10:16

\*\*\*\*\*

Barrow

SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

T/C NO: 91-04-126  
 DATE: 4-25-91  
 SPONSOR: H, HESS  
 SUBJECT: MULTIPLE BILLS  
 MODERATOR: ROGER  
 SITE: BARROW

REVISED FINAL STATS

\*\*\*\*\*  
 TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. DEBBIE HILDERBRAND, NSB			HB 268
2.			
3.			
4.			
5.			

\*\*\*\*\*  
 OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. CHARLES GOLDSMITH, AST, BOX 870			HB 268
2.			
3.			
4.			
5.			

\*\*\*\*\*  
 TESTIFIED: 1

UNABLE: 0  
 OBSERVED: 1  
 TOTAL: 2

START TIME: 8:00 A.M.                      END TIME: 10:00 A.M.

```

*****
*
* DELIVER TO: LISCHES
*
*
* ORIGINAL
* SENT:          04/25/91  TIME: 09:58
* FROM:          LTCCBET
* SUBJECT:       91-04-126;FS;HB 268;4/25
* PRINT DATE:   04/25/91  TIME: 09:58
*
*****

```

Bethel

SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

```

T/C NO:      91-04-126
DATE:        APRIL 25, 1991
SPONSOR:     (H) HESS
SUBJECT:     HB 268,247,248
MODERATOR:   JANET
SITE:        BETHEL
              FINAL STATS LIST

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\*\*\*\*\*  
TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
PAHNEM KINEGAKBOX 528,	BET	543-3685	HB 268
CATHY FEASTERBOX 1345,	BET	543-3276	HB 268

\*\*\*\*\*

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TESTIFIED:    2
UNABLE:
OBSERVED:
TOTAL:        2

```

START TIME: 8:00AM

END TIME:

```

*****
*
* DELIVER TO: LMSCHEM
*
* ORIGINAL
* SENT: 04/25/91 TIME: 11:35
* FROM: LTCCFBX
* SUBJECT: 91-04-126,FS;HB268;4-25
* PRINT DATE: 04/25/91 TIME: 11:35
*
*****

```

F0KS

SUBJECT LINE TO READ: TC NO.;PL/FS;SHORT SUBJECT;DATE

```

T/C NO: 91-04-126
DATE: APRIL 25, 1991
SPONSOR: HOUSE HESS
SUBJECT: HB 268: HB 247: HB 248
MODERATOR: FRAN
SITE: FAIRBANKS

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FINAL STATS

\*\*\*\*\*  
TO TESTIFY

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. PATRICK SHIER,	112 MARYLEIGH,FBX,99701	452-4534	HB268
2. LIZ GRAY,	215 INA ST.,FBX,99701	456-3367	HB268
3. JEANNE BYRNES,	260 FAIR PLACE,FBX,99712	457-2179	HB268
4. JOHN COGHILL JR.,	854 KEELING RD.,FBX,99711	488-7786	HB268
5. DOUG DUFFETT,	1162 HAYES AVE.,FBX,99709	479-2197	HB268
6. PHILIP NICE,	1648 SKYFLIGHT,FBX,99709	455-6072	HB268
7. MARY ANN BORCHERT,	1758 CHENA RIDGE,FBX,99709	479-2087	HB268
8. GENEVIEVE CARBOY,	5253 OLD RIDGE TRAIL,FBX,99709	479-2333	
9. NATHALIE SANTORA,	286 ESTER DR.,FBX,99709	479-2147	HB268
10. D.A. MCGILVARY,	504 MONROE,FBX,99701	456-4875	HB268
11. SUSAN YANISH,	602 LATHROP,FBX,99701	456-2488	HB268
12. GRANT MATHEKE,	2064 GOLDSTREAM FBX,99709	455-6470	HB268
13. MYRT CHARNEY,	304 SALTER DR.,FBX,99701	451-6207	HB268
14. THOMAS BYRNES,	260 FAIRPLACE,FBX,99707	457-2179	HB268

OBSERVED

NAME/RERESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

```

*****
TESTIFIED: 4
UNABLE: 10
OBSERVED: 0
TOTAL: 14

```

START TIME: 8:00 A.M. END TIME: 10:00 A.M.

GAKONA

```

*****
*
* DELIVER TO: LMSCHE$
*
* ORIGINAL
* SENT: 04/25/91 TIME: 11:16
* FROM: LTCCGLN
* SUBJECT: 91-04-126,FS,PRIVACY ACT
* PRINT DATE: 04/25/91 TIME: 11:17
*
*****

```

SUBJECT LINE TO READ: TC NO.;FL/FS;SHORT SUBJECT;DATE

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T/C NO: 91-04-126
DATE: 04-25-91
SPONSOR: (H) HESS
SUBJECT: REPRO.PRIVACY ACT
MODERATOR: BOB CARNAHAN VTS
SITE: GAKONA

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FINAL STATS

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*****
TESTIFIED

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	NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1	BOB CARNAHAN	BOX 228 GAKONA 99586	822-3571	HB 268
2	CARON BOEHLER	BOX 120 GAKONA 99586	822-3004	HB 268
3	ALTHEA HUGES	BOX GAKONA 99586	822-3896	HB 268
4	ALEN LEMASTERS	BOX 222 GAKONA 99586	822-3696	HB 268
5	LINDA GERTH	BOX 245 GAKONA 99586	822-5898	HB 268
6	CHUCH MCMAHAN	BOX 113 GAKONA 99586	822-3553	HB 268
7	JIM GERTH	BOX 245 GAKONA 99586	822-5898	HB 268
8.				
9.				
10.				

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*****
OBSERVED

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	NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1.	MRS. BOB CARNAHAN	BOX 228 GAKONA 99586	822- 3571	HB 268
2.	DONA CALCOTE	BOX 665 COPPER CENTER 99588	822- 3897	HB 268
3.				
4.				

GLENNALLEN

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*****
*
* DELIVER TO: LHSCHES
*
*
* ORIGINAL
* SENT:          04/25/91  TIME: 10:51
* FROM:          LTCCGLN
* SUBJECT:       91-04-126,FS,PRIVACY ACT
* PRINT DATE:   04/25/91  TIME: 10:51
*
*****

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SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

```

T/C NO:      91-04-126
DATE:        04-25-91
SPONSOR:     (H) HESS
SUBJECT:     REP. PRIVACY ACT
MODERATOR:   PATSY HILL
SITE:        GLENNALLEN

```

FINAL STATS

```

*****
TESTIFIED

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NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
<del>1.</del> ALFRED KRINKE	BOX 545 GLENNALLEN 99588	822-3390	HB 268
<del>2.</del> SANDY FLOYD	BOX 249 GLENNALLEN 99588	822-5856	HB 268
3. SCOTT YAHR	BOX 223 GLENNALLEN 99588	822-5212	HB 268
4. CATHERINE PERRETT	BOX 53 GLENNALLEN	822-3527	HB 268
5. PAMEL POLITO	BOX 171 GLENNALLEN 99588	822-3453	HB 268

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*****
OBSERVED

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NAME/RERESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

```

*****
TESTIFIED: 2

```

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UNABLE: 3
OBSERVED:
TOTAL: 5

```

```

START TIME: 8:00          END TIME: 10:05AM

```

Homer

```

*****
*
* DELIVER TO: LHSCHES
*
* ORIGINAL
* SENT:          04/25/91  TIME: 10:10
* FROM:          LTCCHOM
* SUBJECT:       91-04-126;FS;H.HESS;4-25-91
* PRINT DATE:   04/25/91  TIME: 10:10
*
*****

```

SUBJECT LINE TO READ: TC NO., PL/FS, SHORT SUBJECT, DATE

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T/C NO:      91-04-126
DATE:        APRIL 25, 1991
SPONSOR:     HOUSE HESS
SUBJECT:     HB 268
MODERATOR:   CHARLENE
SITE:        HOMER

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FINAL STATS

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*****
TESTIFYING

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	NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1.	KIM SMITH, KBFFC, BOX 2742, HOMER 99603		235-3436	HB268
2.	SUSAN KERNES, KBFFC, BOX 2742, HOMER		235-3436	HB268
3.				
4.				
5.				

```

*****
OBSERVING
NAME/RERESENTING      ADDRESS      PHONE      BILL NO.
1.
2.
3.
4.
5.

```

```

*****
TESTIFIED:  2
UNABLE:     0

```

```

OBSERVED:   0
TOTAL:      2

```

```

START TIME:  9:25AM      END TIME:

```

\* DELIVER TO: LHSCHE

\* ORIGINAL

\* SENT: 04/25/91 TIME: 10:57  
\* FROM: LTCCGLN  
\* SUBJECT: 91-04-126,FS,PRIVACY ACT  
\* PRINT DATE: 04/25/91 TIME: 12:32

Kenny Lake

\*\*\*\*\*

SUBJECT LINE TO READ: TC NO., PL/FS; SHORT SUBJECT; DATE

T/C NO: 91-04-126  
DATE: 04-25-91  
SPONSOR: (H) HESS  
SUBJECT: REP. PRIVACY ACT  
MODERATOR: RUTH MCHENRY VTS  
SITE: KENNY LAKE

FINAL STATS

\*\*\*\*\*

TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. RUTH MCHENRY HC60 BOX 306-COPPER CENTER		822-3644	HB 268
2. KATIE HELKENN HC60 BOX 306 COPPER CENTER		822-3469	HB 268
3. SCOTT DAVIS HC60 BOX 154 COPPER CENTER		822-3387	HB 268
4. 99573			
5.			

\*\*\*\*\*

OBSERVED

NAME/RERESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

\*\*\*\*\*

TESTIFIED: 3

UNABLE:  
OBSERVED:  
TOTAL: 3

START TIME: 8:00

END TIME: 10:05AM

\*\*\*\*\*  
 \*  
 \* DELIVER TO: LHSCHES  
 \*  
 \*  
 \* ORIGINAL  
 \* SENT: 04/25/91 TIME: 10:36  
 \* FROM: LIOCKOD  
 \* SUBJECT: 91-04-126,FS;HB 268,4-25-91  
 \* PRINT DATE: 04/25/91 TIME: 10:37  
 \*  
 \*\*\*\*\*

KODIAK

T/C NO: 91-04-126  
 DATE: 4/25/91 - THURSDAY  
 SPONSOR: HOUSE HESS COMMITTEE  
 SUBJECT: HB 268 - REPRODUCTIVE PRIVACY ACT  
 MODERATOR: LORNA STEELMAN  
 SITE: KODIAK LIO

FINAL STATS

\*\*\*\*\*

TESTIFIED:

~~1~~ DOROTHY WEEKS, BOX 1428 - KODIAK 99615, 486-6171 BILL NO.  
HB 268

~~2~~ CATHY LINDSEY, 3162 SPRUCE CAPE RD. - KODIAK 99615, 486-5625  
 \*\*\*\*\*  
 WERE HERE TO TESTIFY BUT UNABLE BECAUSE TIME RAN OUT:

- 3. CATHY WILSON, BOX 2038 - KODIAK 99615, 487-2379
- 4. LINDA FREED, S.R. 3295 - KODIAK 99615, 486-5314
- 5. KERMIT REPPOND, 1616 SELIEF LANE - KODIAK 99615, 486-6553
- 6. DELINDA LACE, 298 SHAHAFKA - KODIAK 99615, 486-6248,
- 7. MICHAEL GREEN, S.R. 11020 - KODIAK 99615, 487-2468,

\*\*\*\*\*

OBSERVED:

1. LETITIA RAUB, BOX 3663 - KODIAK 99615, 487-2782 HB 268

\*\*\*\*\*

TESTIFIED: 2  
 UNABLE: 5  
 OBSERVED: 1  
 TOTAL: 8



\*\*\*\*\*  
 \* DELIVER TO: LHSCHES \*  
 \* ORIGINAL \*  
 \* SENT: 04/25/91 TIME: 11:24 \*  
 \* FROM: LTCCMAT \*  
 \* SUBJECT: 126FS H HES REPRO PRVCY 4/25/1 \*  
 \* PRINT DATE: 04/25/91 TIME: 11:24 \*  
 \*\*\*\*\*

*Petersburg*

SUBJECT LINE TO READ: TC NO,; PL/FS;SHORT SUBJECT;DATE

T/C NO: 91-04-126  
 DATE: 4/25/91  
 SPONSOR: H HESS  
 SUBJECT: REPRODUCTIVE PRIVACY - HB 268  
 MODERATOR: MARY, DEBBIE  
 SITE: MAT-SU LIO

MAT-SU

FINAL STATS

\*\*\*\*\*

TESTIFIED:  
 1 ~~WICK~~ STOEFFEL 1352 PIONEER PEAK DR WASILLA 99687 HB268

~~2~~ HEATHER LEHE HC01 BX 6306 PALMER 99645 HB268

\*\*\*\*\*

UNABLE TO TESTIFY:

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1 MARTIE ROZKYDAL	POB 400	PALMER 99645	HB268
2 LOIS KNAPP	POB 940232	HOUSTON 99694	HB268
3 CAROLINE DEMIENTIEFF	HC 30 BX 5569-NE	WASILLA 99687	HB268

\*\*\*\*\*

OBSERVED:  
 1  
 2

\*\*\*\*\*

TESTIFIED: 2  
 UNABLE: 3  
 OBSERVING:  
 TOTAL 5

START TIME: 8 AM END TIME: 10 AM

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*****
*
* DELIVER TO: LHSCHES
*
*
* ORIGINAL
* SENT: 04/25/91 TIME: 10:59
* FROM: LIOCPSG
* SUBJECT: 91-04-126;H.HESS;4/25
* PRINT DATE: 04/25/91 TIME: 10:59
*
*****

```

SUBJECT LINE TO READ: TC NO.;FL/FS;SHORT SUBJECT;DATE

```

T/C NO: 91-04-126
DATE: 04/25/91
SPONSOR: HOUSE HESS
SUBJECT: HB 268
MODERATOR: DOROTHY PENTTILA
SITE: PETERSBURG

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PARTICIPANT LIST

FINAL STATS

\*\*\*\*\*  
TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. HARLENE CUSHING COALITION OF ALASKANS FOR CHOICE	BOX 1356 PETERSBURG	772-4779	HB 268
2. ROXANE L. LEE SELF AND BFW	BOX 747	772-3256	HB 268

\*\*\*\*\*  
OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. DENISE GUBERNICK COALITION OF ALASKANS FOR CHOICE	BOX 775 PETERSBURG	772-3087	HB268
2. SUSAN ERICKSON BFW	BOX 53	772-9237	HB268
3. KELVIN SCHUBERT	BOX 437	772-4408	

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TESTIFIED: -2-
UNABLE: -0-
OBSERVED: -3-
TOTAL: -5-

```

START TIME: 8:00AM

END TIME: 10:00AM

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*****
* DELIVER TO: KMSCHES
*
* ORIGINAL
* SENT: 04/25/91 TIME: 10:49
* FROM: LIQCSIT
* SUBJECT: 91-04-126;FS;HHESS;4-25-91
* PRINT DATE: 04/25/91 TIME: 10:49
*
*****

```

SITKA

SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

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T/C NO: 91-04-126
DATE: APRIL 25, 1991
SPONSOR: HOUSE HESS
SUBJECT: HB 268
MODERATOR: THERESA WYMAN
SITE: SITKA

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FINAL STATS LIST

\*\*\*\*\*

WERE HERE TO TESTIFY

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
<del>1.</del> CHARLES HORAN	BOX 2003, SITKA 99835		HB 268
<del>2.</del> RYAN MILLER	BOX 992, SITKA 99835	" "	" "
3. BRUCE CONINE	614 MERRILL ST, SITKA 99835	" "	" "
4. SUSAN JENSEN	BOX 464, SITKA 99835	" "	" "
5. JULIA LADUKE	111 FINN ALLEY, SITKA 99835	" "	" "
6. MARY SOLTIS	615 DEGROFF, SITKA 99835	" "	" "
7. SUSAN KANES	431 VERSTOVIA AVE, SITKA 99835	" "	" "
8. RUTH MCKENZIE	BOX 1922, SITKA 99835	" "	" "
9. KAREN CHRISTNER	301 WORTMAN LOOP, SITKA 99835	" "	" "
10. VERA ZABORSKE	3488-A HPR, SITKA 99835	" "	" "
11. SHERRI SCHAUWECKER	1310 EDGECLUMBE DRIVE, SITKA 99835		HB 268

\*\*\*\*\*

OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. DOUG JENSEN	BOX 464, SITKA 99835		HB 268
2. RUSSELL CAMERON	435 VERSTOVIA, SITKA 99835		HB 268
3. SHIRLEY DEMMERT	316 WORTMAN LOOP, SITKA 99835		HB 268
4. TERI LUNDY	BOX 2975, SITKA, AK 99835		HB 268
5. CLEO K. STOKES	BOX 2282, SITKA 99835		HB 268

6. BILL DONNELLY	BOX 2584, SITKA 99835		HB 268
7. PAULA DONNELLY	BOX 2584, SITKA 99835		HB 268
8. ALICE CAMERON	435 VERSTOVIA, SITKA 99835		HB 268
9. JOHN MONNIN	1801 ALDERWAY APT C, SITKA 99835		HB 268
10. DANIEL G. REAR	1007 HFF, SITKA 99835		HB 268

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TESTIFIED: 02
UNABLE: 07
OBSERVED: 12
TOTAL: 21

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```

START TIME: 8:00 AM
END TIME: 10:00 AM

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\*\*\*\*\*  
\* DELIVER TO: LHSCHES \*  
\* \*  
\* \*  
\* ORIGINAL \*  
\* SENT: 04/25/91 TIME: 11:05 \*  
\* FROM: LTCCGLN \*  
\* SUBJECT: 91-04-126,FS,PRIVACY ACT \*  
\* PRINT DATE: 04/25/91 TIME: 11:05 \*  
\*\*\*\*\*

SLANA

SUBJECT LINE TO READ: TC NO.;FL/FS;SHORT SUBJECT;DATE

T/C NO: 91-04-126  
DATE: 04-25-91  
SPONSOR: (H) HESS  
SUBJECT: REP.PRIVACY ACT  
MODERATOR: THELMA SCHRANK VTS  
SITE: SLANA

FINAL STATS

\*\*\*\*\*  
TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. MARY LOU THOMAS	SLANA 99586	N/A	HB 268
2.			
3.			
4.			
5.			

\*\*\*\*\*  
OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. SANDY GARBER	SLANA 99586	N/A	HB 268
2. THELMA SCHRANK SR	BOX 380 GAKONA 99586	822-3426	HB 269
3.			
4.			
5.			

\*\*\*\*\*  
TESTIFIED: 1

UNABLE:  
OBSERVED: 2  
TOTAL: 3

START TIME: 8:00

END TIME: 10:05AM

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*****
* DELIVER TO: LMSCHE$
*
* ORIGINAL
* SENT: 04/25/91 TIME: 10:31
* FROM: LTCCSOL
* SUBJECT: 91-04-126;FS;HB268;4-25
* PRINT DATE: 04/25/91 TIME: 10:31
*
*****

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Soldotna

SUBJECT LINE TO READ: TC NO.;PL/FS;SHORT SUBJECT;DATE

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T/C NO: 91-04-126
DATE: 4-25-91
SPONSOR: HOUSE HESS
SUBJECT: HB268
MODERATOR: ALYSON
SITE: SOLDOTNA

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FINAL STATS LIST

\*\*\*\*\*  
TESTIFYING

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. MARIE PENROD/BOX 4016,SOL;99669		262-6795	HB268
2. RUSS PENROD/ "		"	"
3. PEGGY MULLEN/43955 STERLING HWY,99669		262-7715	"
4. NANCY ROLLINS/BOX 1492, 99669		262-2622	"
5. KAREN MCGAHAN/RT 1,BOX 767;99611		283-4219	"
6. DENNIS CARLSON/BOX 1113; 99611			"
7. VERONICA KESSLER/1010 MINKE,99611		283-5316	"
8. REBECCA PERRY/BOX 3623;99611		262-3995	"
9. ANN PENCE/WRCC/325 S. SPRUCE;99611		283-9479	"
10.			

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OBSERVING

- 1.
- 2.
- 3.

- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

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*****
TESTIFIED: 02
UNABLE: 07
OBSERVED: 00
TOTAL: 09

```

START TIME: 8:05

ENDTIME: 10:05



# Alaska State Legislature

## House of Representatives

COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

**SUBJECT OF MEETING:**  
HB 268 REPRODUCTION PRIVACY ACT

**DATE:** April 25, 1991

**PLACE:** Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ BISHOP MICHAEL KENNY	CATHOLIC CHURCH	419 SIXTH ST. JUNEAU	99801	6-1669	6-2227	(Y) N	268
✓ Robert W. Wood, Sr	Self	P.O. Box 20218 JUNEAU AK 99802	99802	463-3834	-	(Y) N	268
Howard M. Wood	"	"	"	"	"	Y (N)	
Terry Martin	Dist. 13				3783	(Y) N	268
↓ PAUL B. ARNOLDT	SELF	4396 Cloverdale Street JUNEAU, AK. 99801	99801	789-3935	789-3935	(Y) N	268
✓ SID HEIDERSDORF	SELF	Box 020658, JUNEAU	99802	789-9858	-	(Y) N	268
✓ Patty Hartmann	Self	Box 24, Haines, 99827	99827	766-2145	766-2666	(Y) N	268
Futh Ann Bowman	self	Box 240741 Douglas 99822	99824	364-2220		Y (N)	268
Richard Conner	self	1700 crest AVE JUNEAU 99801	99803	789-9803	789-9905	Y (N)	268
Karen Trimble	self	Box 240609, Aukie Bay 99801		790-2037		Y (N)	268
Ida Barnach	Self	8292 Garnet St.	99801	789-9623	465-4531	(Y) N	268



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Teri Jacobsen	Self	9243 Gee St Juneau	99801	789-7463	789-7440	(Y) N	268
Michelle Graves	Self	9483 meander way Juneau	99801	589-8414	same	Y N	268
Bank Kullander	self	PO Box 32182 Juneau	99803	789-2326	789-2176	Y N	268
Terence Kelly	Self	3333 howell ave apt #207 Juneau Alaska 99801	99801	463-3389	reTired	(Y) N	268
ROGER SNYDER	SELF	2710 DAVID ST. JUNEAU	99801	586-6559	586-6350	(Y) N	268
Emma Deats	Self	Box 87 Juneau AK 99802	99802	463 3262		(Y) N	268
TEO Deats	Self	Same as above	99802		465-3400	(Y) N	268
<del>BRANDY BAKER</del>	<del>SELF</del>	102 Peoples wharf	99801	586-1733	—	Y N	268
Jim Brayton	self	11930 Glacier Hwy	99821	789-7945	—	(Y) N	268
SARA GRAY	Self	315 5th St. #10 Juneau	99801	463 3968	364-2514	(Y) N	268
PHILIP L. GRAY	SELF	4410 N DOUGLAS Juneau Hwy	99801	586-6113	SAME	(Y) N	268



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Nilda Sullivan	self	P.O. Box 020874 Juneau 998	99802	789-2000	same	<input checked="" type="radio"/> Y <input type="radio"/> N	268
LAURIE SCANDLING	self	Box 21553	99802			<input checked="" type="radio"/> Y <input type="radio"/> N	268
GORDON LAMDES	Div. of MEDICAL ASSISTANCE	P.O. Box H-07 Juneau, AK 99811			465-3355	<input checked="" type="radio"/> Y <input type="radio"/> N	AVAILABLE FOR QUESTIONS RE FISCAL NOTE - 268
<del>Susan Seti</del>						<input type="radio"/> Y <input type="radio"/> N	
Ken Mattson	Alaskans for Life	Box 32186 Juneau AK 99803		789-5224		<input checked="" type="radio"/> Y <input type="radio"/> N	HB 268 / SB 249
Mike Grieser	self	9951 Slope Rich.		789-5582		<input checked="" type="radio"/> Y <input type="radio"/> N	HB 268
Diana Grieser	self	" " "		"		<input checked="" type="radio"/> Y <input type="radio"/> N	" "
Rep. Loren Leman		P.O. Box 11 Juneau, AK 99811		<del>789-5582</del>	405-2095	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 268
Harold Almon	SELF	8148 Pine wood DR DUNSMUIR, AK		769-9853		<input checked="" type="radio"/> Y <input type="radio"/> N	HB 268
Pat Denny	self	526 Seward St, Juneau	99802	586-3925		<input checked="" type="radio"/> Y <input type="radio"/> N	
Kay Smith	self	526 Seward	99801	586-3354		<input type="radio"/> Y <input checked="" type="radio"/> N	



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Sharon Pelton	Catholic Community Services	419-6 <sup>th</sup> St, CCSU Juneau 99801		463-5574	463-3933	Y	<input checked="" type="radio"/> N	268
SHERIE GOU	Alaska Women's Lobby	PO Box 22156 - Jno 99802			463-6744	<input checked="" type="radio"/> Y	N	HB 268
<del>Lisa Weisler</del>	<del>GEIF</del>	<del>157 B Castineau Ave</del>		<del>463-3884</del>		<input checked="" type="radio"/> Y	<del>N</del>	<del>HB 268</del>
✓ Sandy King						Y	N	268
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	