

HOUSE CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 49(FIN) am H

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 4/10/14

Offered: 2/28/14

Sponsor(s): SENATORS COGHILL, Olson, Kelly, Dyson, Micciche, Dunleavy, Giessel

REPRESENTATIVES Lynn, LeDoux, Hughes, Reinbold

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to existing women's health programs; and defining 'medically
2 necessary abortion' for purposes of making payments under the state Medicaid
3 program."

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE INTENT; FUNDING OF WOMEN'S HEALTH PROGRAMS. It is
8 the intention of the legislature to define the phrase "medically necessary" for purposes of
9 Medicaid funding of abortion services and to continue to fund existing women's health
10 programs in the state.

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

12 **Sec. 47.07.068. Payment for abortions.** (a) The department may not pay for
13 abortion services under this chapter unless the abortion services are for a medically
14 necessary abortion or the pregnancy was the result of rape or incest. Payment may not

1 be made for an elective abortion.

2 (b) In this section,

3 (1) "abortion" has the meaning given in AS 18.16.090;

4 (2) "elective abortion" means an abortion that is not a medically
5 necessary abortion;

6 (3) "medically necessary abortion" means that, in a physician's
7 objective and reasonable professional judgment after considering medically relevant
8 factors, an abortion must be performed to avoid a threat of serious risk to the life or
9 physical health of a woman from continuation of the woman's pregnancy;

10 (4) "serious risk to the life or physical health" includes, but is not
11 limited to, a serious risk to the pregnant woman of

12 (A) death; or

13 (B) impairment of a major bodily function because of

14 (i) diabetes with acute metabolic derangement or severe
15 end organ damage;

16 (ii) renal disease that requires dialysis treatment;

17 (iii) severe pre-eclampsia;

18 (iv) eclampsia;

19 (v) convulsions;

20 (vi) status epilepticus;

21 (vii) sickle cell anemia;

22 (viii) severe congenital or acquired heart disease, class

23 IV;

24 (ix) pulmonary hypertension;

25 (x) malignancy if pregnancy would prevent or limit

26 treatment;

27 (xi) kidney infection;

28 (xii) congestive heart failure;

29 (xiii) epilepsy;

30 (xiv) seizures;

31 (xv) coma;

- 1 (xvi) severe infection exacerbated by pregnancy;
2 (xvii) rupture of amniotic membranes;
3 (xviii) advanced cervical dilation of more than six
4 centimeters at less than 22 weeks gestation;
5 (xix) cervical or cesarean section scar ectopic
6 implantation;
7 (xx) any pregnancy not implanted in the uterine cavity;
8 (xxi) amniotic fluid embolus; or
9 (xxii) another physical disorder, physical injury, or
10 physical illness, including a life-endangering physical condition caused
11 by or arising from the pregnancy that places the woman in danger of
12 death or major bodily impairment if an abortion is not performed.