A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

Sec. 47.07.068. Payment for abortions. (a) The department may not pay for abortion services under this chapter unless the abortion services are for a medically necessary abortion or the pregnancy was the result of rape or incest. Payment may not
be made for an elective abortion.

(b) In this section,

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

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

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

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

(A) death; or

(B) impairment of a major bodily function because of

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

(ii) renal disease that requires dialysis treatment;

(iii) severe pre-eclampsia;

(iv) eclampsia;

(v) convulsions;

(vi) status epilepticus;

(vii) sickle cell anemia;

(viii) severe congenital or acquired heart disease, class IV;

(ix) pulmonary hypertension;

(x) malignancy if pregnancy would prevent or limit treatment;

(xi) kidney infection;

(xii) congestive heart failure;

(xiii) epilepsy;

(xiv) seizures;

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