

HOUSE BILL NO. 283

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE RASMUSSEN

Introduced: 2/24/20

Referred: Health & Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of physicians and health care practitioners when**
2 **performing or inducing abortions."**

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

4 *** Section 1.** AS 18.16.010 is amended by adding new subsections to read:

5 (k) When a physician performs or induces an abortion in the state, the
6 physician shall use the method of terminating the pregnancy that provides the best
7 opportunity for the unborn child to survive after the child is removed from the
8 pregnant woman's womb if, in the physician's clinical judgment, the method of
9 terminating the pregnancy does not present a serious risk to the life or health of the
10 pregnant woman.

11 (l) If the unborn child is removed from the pregnant woman's womb alive
12 under (k) of this section, any health care practitioner present shall exercise the same
13 degree of professional skill, care, and diligence to preserve the life and health of the
14 child as a reasonably diligent and conscientious health care practitioner would render

1 to a child born alive at the same fetal age in the course of a natural birth.

2 (m) In this section,

3 (1) "alive" means that a child, after birth or removal from a pregnant
4 woman's womb, has spontaneous respiratory or cardiac function or pulsation of the
5 umbilical cord, regardless of whether the umbilical cord has been cut;

6 (2) "clinical judgment" means a physician's or surgeon's subjective
7 professional medical judgment exercised in good faith;

8 (3) "fertilization" has the meaning given in AS 18.05.032(c);

9 (4) "fetal age" means the age of the unborn child as calculated from the
10 moment of fertilization.

11 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 **APPLICABILITY.** Section 1 of this Act applies to abortions performed or induced on
14 or after the effective date of this Act.