

Alaska Planned Parenthood Sues State Over Elective Abortion Regs

Planned Parenthood in Alaska sued the state health commissioner on Wednesday over new regulations that prevent state Medicaid from covering elective **abortions**.

The new regulations, set to go into effect on Sunday, require **abortion** doctors who receive Medicaid payments to certify that a procedure is “medically necessary” to prevent serious risk to the woman’s health, or that the patient is a victim of rape and incest.

The group, **Planned Parenthood** of the Great Northwest, is seeking to have the regulations struck down as an unconstitutional violation of equal protection, said **Planned Parenthood** spokesman Joshua Decker.

The lawsuit also seeks to prevent the state from enforcing the regulations.

Decker said the regulation will illegally restrict low-income Alaskans’ access to **abortion** services.

Decker said a 2001 Alaska Supreme Court decision ruled that the state must fund medically necessary abortions along with other medically necessary services for low-income residents.

“State Medicaid in Alaska can’t single out abortions and treat them differently from other Medicaid services,” Decker said. “With every other service, Alaska trusts its medical doctors to adhere to the best interests of their patients.”

A representative for Bill Streur, the Alaska Department of Health and Human Services Commissioner, did not immediately return calls for comment.

The representative told the *Anchorage Daily News* on Wednesday that Streur would not comment until he had reviewed the lawsuit with state lawyers.

Under the regulations set to take effect next week, paperwork requesting Medicaid reimbursement will include two boxes. Doctors would check the first box if the patient was the victim of rape or incest, or the second box to certify that the procedure was “medically necessary” to prevent serious risk to the woman.

A list of medical conditions—which includes congestive heart failure, a pregnancy complication called eclampsia, and a psychiatric disorder—which could put a pregnant woman in “imminent danger” of damage to a “major bodily function” can be cited as defining the notion of “medically necessary.”

Last summer, at the request of a Democratic state senator who objected to the regulation—which was then only a proposal—Alaska’s Legislative Affairs Agency issued a legal memo on the abortion regulation, saying the regulation would “likely be found unconstitutional,” NBC’s Anchorage affiliate, KTUU, reported in August.

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