

Introduced by: Glick  
Date: Sept. 6, 1983  
Hearing: Oct. 11, 1983  
Vote:  
Action: NOT CONSIDERED

KENAI PENINSULA BOROUGH

ORDINANCE 83-73 (Substitute)

AMENDING THE ORDINANCE REGARDING PERFORMANCE OF ABORTIONS AT  
BOROUGH OWNED FACILITIES.

WHEREAS, the United States Supreme Court has rendered a  
decision in regard to informed consent requirements in connection  
with abortions; and

WHEREAS, such opinion calls into questions rigid time  
requirements and leaves in doubt of the structure a valid waiting  
period before between consent and performance of the abortion;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI  
PENINSULA BOROUGH:

Section 1. That KPB 10.12.020 is amended to read:

10.12.020 Miscellaneous requirements. A. The  
abortion, if performed, need not be performed by the  
same physician who provided counseling and information.

B. The provisions of section 10.12.010 shall not apply  
in the event that there exists a medical emergency  
which warrants immediate admission of the patient and  
performance of the abortion. In such instances, the  
attending physician shall describe the basis of his  
medical judgment that such an emergency exists in a  
form prescribed by the assembly.

C. Information relating to physical development of the  
fetus may be based upon the physicians best information  
and judgment and does not require any specific testing  
or other procedures.

Section 2. That KPB 10.12.030 A. is amended to read:

10.12.030 A. With respect to each abortion performed  
in a covered facility, the attending physician shall  
certify on the form prescribed by the assembly that  
with respect to any patient under the age of 17 years,  
reasonable efforts were made to notify parents or  
guardians prior to performing the abortion; provided,  
that such efforts shall not require delay of the  
abortion beyond a reasonable time in which to try to  
contact the parents or guardian.

Section 3. That a new section KPB 10.12.035 is added to  
read:

10.12.035 Approval of Forms. All forms used for explanation and informed consent or certification of medical emergency shall be in a form prescribed by the Assembly of the Kenai Peninsula Borough. Such forms shall be approved by resolution.

Section 4. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1983.

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Donald L. McCloud, Assembly President

ATTEST:

\_\_\_\_\_  
Borough Clerk