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REPRESENTATIVE Paul Seaton

District 30

Memorandum

To: Representative Pete Higgins, Chairman- Health and Social Services Committee

From: Representative Paul Seaton

Date: February 4, 2014

RE: Explanation of Changes: Proposed CS HB 90 Version O

Explanation of Changes: Proposed CS Version O for HB 90

The Committee Substitute for House Bill 90, work draft 28-LS0376\O makes the following changes.

Language throughout the bill has been reordered and in some cases changed to indicate importance and to reflect the purpose of the legislation, which is to establish a baseline vitamin D level for Alaska through a temporary contract with a qualified and knowledgeable group.

The specific changes are as follows:

- The title has been altered to reflect changes made within the bill and to indicate a more specific focus for the legislation.
- In **subsection (b)**, language has been deleted and modified. The purpose of this subsection is to initiate the contract for a temporary vitamin D research project. The changes are as follows:
 - The effective start date has been changed from January 1, 2014 to January 1, 2015.
 - The language has been changed to clarify that the department is to initiate a contract for a yearlong testing project. Previous language had placed responsibility for a program within the department.

- **Subsection (c)** includes language which clarifies the type of research group the department should contract with for this project and the requirements of the contract. The purpose of this subsection is to define the type of contract the department is to enter into for this project.

The requirements are as follows:

- A limit of not more than \$60 for the testing and analytical work of each sample, which maintains the cost at the lowest known rate for this service.
 - A requirement that the test results be returned to provider who conducted or oversaw the test taking.
 - A requirement to report the test results to the department without identifying the newborn, allowing the state to map the vitamin D level of the newborn across the state while maintaining privacy.
 - Allowing the cooperation between the contractor, provider and department for distribution of samples and reporting of data.
 - Other provisions necessary to establish the contract.
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- **Subsection (d)** includes language describing the role of the attending certified health provider in conducting or supervising the test, as well as ensuring compliance with the testing program and any federal or state privacy laws. Subsection B also states that these provisions shall be undertaken at no cost to the provider or the parent of the newborn and allows for parents to claim religious exemption from the testing. Similar language was included in the previous Committee Substitute. This version expands the guarantee of no cost to the provider.
This subsection clarifies the duties of the health care provider, ensures that the samples are submitted to the proper testing group, ensures that testing under this project will be at no cost to the parent of the newborn or the provider, and makes clear the privacy and exemption rights of the parent and newborn.
The provider responsibilities are as follow:
 - The provider is responsible for taking or supervising the taking of blood-spot testing from the cord blood of each newborn for the purpose of vitamin D testing.
 - The testing shall be conducted at the same time as other newborn blood tests already required by the state.

- The sampling done under a certified provider must comply with federal and state privacy laws.
 - The provider who takes or supervises the sample is responsible for returning the samples to the contracted research group.
 - The provider will conduct a follow-up with the parent of a newborn if such a follow up is within the provider's standards of practice.
- **Subsection (e)** is a new section in House Bill 90 which instructs the department to notify health care providers in the state of the existence of the program , the terms of the contract, and the contact information for the contracted research group.
This section is meant to ensure the communication between providers, the department, and the contractor necessary to effectively pursue this project.
- **Subsection (f)** defines terms used in the bill.