

# Fiscal Note

State of Alaska  
2018 Legislative Session

Bill Version: HB 43  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB043-DCCED-CBPL-01-19-18  
Title: NEW DRUGS FOR THE TERMINALLY ILL  
Sponsor: GRENN  
Requester: (S) Health and Social Services

Department: Department of Commerce, Community and  
Economic Development  
Appropriation: Corporations, Business and Professional  
Licensing  
Allocation: Corporations, Business and Professional  
Licensing  
OMB Component Number: 2360

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

|                        | FY2019<br>Appropriation<br>Requested | Included in<br>Governor's<br>FY2019<br>Request | Out-Year Cost Estimates |            |            |            |            |
|------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|
| OPERATING EXPENDITURES | FY 2019                              | FY 2019  | FY 2020                 | FY 2021    | FY 2022    | FY 2023    | FY 2024    |
| Personal Services      |                                      |  |                         |            |            |            |            |
| Travel                 |                                      |  |                         |            |            |            |            |
| Services               |                                      |  |                         |            |            |            |            |
| Commodities            |                                      |  |                         |            |            |            |            |
| Capital Outlay         |                                      |  |                         |            |            |            |            |
| Grants & Benefits      |                                      |  |                         |            |            |            |            |
| Miscellaneous          |                                      |  |                         |            |            |            |            |
| <b>Total Operating</b> | <b>0.0</b>                           | <b>0.0</b>                                     | <b>0.0</b>              | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

## Fund Source (Operating Only)

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <b>Total</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

## Positions

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

## Change in Revenues

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <b>Total</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

**Estimated SUPPLEMENTAL (FY2018) cost:** 0.0 (separate supplemental appropriation required)

(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2019) cost:** 0.0 (separate capital appropriation required)

(discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No

If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version/comments:

Updated to the 2018 Legislative form.

|              |   |        |                     |
|--------------|---|--------|---------------------|
| Prepared By: | Janey McCullough, Director                        | Phone: | (907)465-2538       |
| Division:    | Corporations, Business and Professional Licensing | Date:  | 01/19/2018 01:00 PM |
| Approved By: | Catherine Reardon, Director                       | Date:  | 01/19/18            |
| Agency:      | Division of Administrative Services, DCCED        |        |                     |

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2018 LEGISLATIVE SESSION

BILL NO. HB 43

### Analysis

HB 43 prohibits disciplinary action being taken against physicians by the State Medical Board for prescribing, dispensing, or administering an investigational drug, biological product, or device to terminally ill patients that have considered all other treatment options approved by the U.S. Food and Drug Administration and are ineligible or unable to participate in a current clinical trial.

This legislation establishes immunity for physicians, manufacturers, and distributors in the case of injury or death of a terminally ill patient from the use or nonuse of an investigational drug, biological product, or device, provided that informed consent was obtained from the patient and notice of immunity was given in advance.

HB 43 amends the statute limiting the sale and distribution of new drugs so it does not apply to physicians prescribing or administering investigational drugs under the conditions established in Section 1 of the bill. Additionally, this legislation prohibits requiring licensed entities subject to AS 47.32.030 to increase services for the sole purpose of accommodating a physician's practice of prescribing, dispensing, or administering an investigational drug, biological product, or device, or providing related treatment to a patient.

The Division of Corporations, Business and Professional Licensing does not anticipate fiscal impact from this legislation.