

**ALASKA STATE LEGISLATURE**  
**HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

May 7, 2003

3:38 p.m.

**MEMBERS PRESENT**

Representative Tom Anderson, Chair  
Representative Nancy Dahlstrom  
Representative Carl Gatto  
Representative Norman Rokeberg  
Representative Harry Crawford  
Representative David Guttenberg

**MEMBERS ABSENT**

Representative Bob Lynn, Vice Chair

**COMMITTEE CALENDAR**

CONFIRMATION HEARINGS

Real Estate Commission

Bradley J. Fluetsch, CFA, - Juneau  
Barbara Parker-Ramesey - Anchorage  
David B. Somers - Fairbanks

- CONFIRMATIONS ADVANCED

Z. Kent Sullivan, Esq. - Fairbanks

- CONFIRMATION HEARING POSTPONED

Alaska Labor Relations Agency

Colleen E. Scanlon - Ketchikan

- CONFIRMATION ADVANCED

Board of Barbers and Hairdressers

Charlette Lushin - Fairbanks  
Joylene A. Marrs - Anchorage

- CONFIRMATIONS ADVANCED

Board of Chiropractic Examiners

David J. Mulholland, D.C. - Anchorage

- CONFIRMATION ADVANCED

State Medical Board

Robert A. Breffeilh, M.D. - Juneau

- CONFIRMATION ADVANCED

Board of Nursing

Mary H. Weymiller, LPN - Fairbanks

- CONFIRMATION ADVANCED

Board of Pharmacy

William R. Altland, R.Ph. - Craig

- CONFIRMATION ADVANCED

Board of Psychologist and Psychological Associate Examiners

Lorin L. Bradbury, Ph.D. - Bethel

John A. Miller, Ph.D. - Chugiak

- CONFIRMATIONS ADVANCED

Board of Veterinary Examiners

Steven M. Torrence, D.V.M. - Fairbanks

- CONFIRMATION ADVANCED

HOUSE BILL NO. 270

"An Act relating to the licensure of pharmacists; and providing for an effective date."

- MOVED HB 270 OUT OF COMMITTEE

HOUSE BILL NO. 268

"An Act relating to an exemption for specialty contractors under the laws regulating architects, engineers, land surveyors, and landscape architects."

- MOVED HB 268 OUT OF COMMITTEE

HOUSE BILL NO. 32

"An Act relating to a health insurance uniform prescription drug information card; and providing for an effective date."

- MOVED CSHB 32(L&C) OUT OF COMMITTEE

HOUSE BILL NO. 285

"An Act adopting the Uniform Electronic Transactions Act; repealing certain statutes relating to electronic records and electronic signatures; amending Rule 402, Alaska Rules of Evidence; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 272

"An Act relating to motor vehicle dealers."

- BILL HEARING POSTPONED TO 5/9/03

**PREVIOUS ACTION**

BILL: HB 270

SHORT TITLE:PHARMACIST LICENSING

SPONSOR(S): REPRESENTATIVE(S)DAHLSTROM

Jrn-Date	Jrn-Page		Action
04/15/03	0986	(H)	READ THE FIRST TIME - REFERRALS
04/15/03	0986	(H)	HES, L&C
04/24/03		(H)	HES AT 3:00 PM CAPITOL 106
04/24/03		(H)	Moved Out of Committee MINUTE(HES)
04/25/03	1124	(H)	HES RPT 4DP
04/25/03	1124	(H)	DP: CISSNA, SEATON, WOLF, WILSON
04/25/03	1124	(H)	FN1: ZERO(CED)
05/05/03		(H)	L&C AT 3:15 PM CAPITOL 17
05/05/03		(H)	Heard & Held
05/05/03		(H)	MINUTE(L&C)
05/07/03		(H)	L&C AT 3:15 PM CAPITOL 17

BILL: HB 268

SHORT TITLE:LICENSING SPECIALTY CONTRACTORS

SPONSOR(S): REPRESENTATIVE(S)MCGUIRE

Jrn-Date	Jrn-Page		Action
04/15/03	0985	(H)	READ THE FIRST TIME - REFERRALS
04/15/03	0985	(H)	L&C
05/02/03		(H)	L&C AT 3:15 PM CAPITOL 17
05/02/03		(H)	Heard & Held
05/02/03		(H)	MINUTE(L&C)
05/07/03		(H)	L&C AT 3:15 PM CAPITOL 17

BILL: HB 32

SHORT TITLE: UNIFORM PRESCRIPTION DRUG CARD

SPONSOR(S): REPRESENTATIVE(S) COGHILL

Jrn-Date	Jrn-Page		Action
01/21/03	0040	(H)	PREFILE RELEASED (1/10/03)
01/21/03	0040	(H)	READ THE FIRST TIME - REFERRALS
01/21/03	0040	(H)	L&C, HES
01/29/03	0089	(H)	COSPONSOR(S): GRUENBERG
01/31/03		(H)	L&C AT 3:15 PM CAPITOL 17
01/31/03		(H)	-- Meeting Canceled --
02/03/03	0119	(H)	COSPONSOR(S): WHITAKER
02/05/03		(H)	L&C AT 3:15 PM CAPITOL 17
02/05/03		(H)	-- Meeting Canceled --
05/07/03		(H)	L&C AT 3:15 PM CAPITOL 17

**WITNESS REGISTER**

BRADLEY J. FLUETSCH, CFA, Appointee  
to the Real Estate Commission  
Juneau, Alaska

POSITION STATEMENT: Testified as Appointee to the Real Estate Commission.

ROBIN PHILLIPS, Staff  
to Representative Nancy Dahlstrom  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: During discussion of HB 270, spoke on behalf of the sponsor, Representative Dahlstrom.

BARRY CHRISTENSEN, R.Ph., Legislative Chair  
Alaska Pharmacists Association (AkPhA)  
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of HB 270; testified in support of HB 32.

DONALD J. IVERSON, P.E., Member  
State Board of Registration for Architects, Engineers, and Land  
Surveyors ("the AELS board")  
Anchorage, Alaska

POSITION STATEMENT: Indicated that he wished to speak in favor  
of HB 268, and responded to questions.

PATRICK H. KALEN, PLS, Member  
State Board of Registration for Architects, Engineers, and Land  
Surveyors ("the AELS board")  
Fairbanks, Alaska

POSITION STATEMENT: Provided a comment during discussion of HB  
268.

HEATH HILYARD, Staff  
to Representative Lesil McGuire  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: During discussion of HB 268, provided a  
comment on behalf of the sponsor, Representative McGuire.

REPRESENTATIVE JOHN COGHILL  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 32.

KATIE CAMPBELL, Actuary L/H  
Central Office  
Division of Insurance  
Department of Community & Economic Development (DCED)

POSITION STATEMENT: Responded to questions during discussion  
of HB 32.

#### **ACTION NARRATIVE**

#### **TAPE 03-48, SIDE A**

Number 0001

**CHAIR TOM ANDERSON** called the House Labor and Commerce Standing  
Committee meeting to order at 3:38 p.m. Representatives  
Anderson, Gatto, Crawford, and Guttenberg were present at the  
call to order. Representatives Dahlstrom and Rokeberg arrived  
as the meeting was in progress.

#### CONFIRMATION HEARINGS

Number 0060

CHAIR ANDERSON announced that the committee would first take up the governors appointments to the Alaska Labor Relations Agency, the Board of Barbers and Hairdressers, the Board of Chiropractic Examiners, the State Medical Board, the Board of Nursing, the Board of Pharmacy, the Board of Psychologist and Psychological Associate Examiners, the Real Estate Commission, and the Board of Veterinary Examiners. He noted that Bradley J. Fluetsch, appointee to the Real Estate Commission, was present to answer questions.

Real Estate Commission

REPRESENTATIVE ROKEBERG asked Mr. Fluetsch for his background information and an explanation of why he wanted to serve on the Real Estate Commission.

Number 0116

BRADLEY J. FLUETSCH, CFA, Appointee to the Real Estate Commission, relayed that he was a registered investment advisor with the State of Alaska up until this year; that he has worked for the Sealaska Corporation and the Alaska Permanent Fund Corporation; that he has run his own investment advisory firm; and that as an adjunct lecturer with the University of Alaska Southeast, he teaches an entry-level finance course. He said that he volunteered to serve on the Real Estate Commission because he wished to serve Governor Murkowski.

REPRESENTATIVE ROKEBERG noted that he is a licensed real estate broker, has been so for over 30 years, and takes a keen interest in real estate issues. After mentioning his proposed legislation regarding dual agency, he asked Mr. Fluetsch to comment on that issue.

MR. FLUETSCH said that he did not have any experience with dual agency specific to real estate, but noted that in the securities industry, dual agency has been given several black eyes. He elaborated:

The Association of Investment Management and Research is the body that I belong to - it is the governing body. The CFA [chartered financial analyst] is not handed out easily; there's 18 in the state of Alaska - there's only 2 native Americans, I'm one of them, [and] the other works for [the] Sealaska Corporation.

... I don't know agency law specifically as it applies to real estate, but within the securities industry - and I know we are different, though real estate is an asset class ... - full disclosure ... is the wave of the future. The securities industry has just absolutely destroyed its credibility, its standing within the community. And it's through full disclosure [regarding] relationships and those kinds of issues that it's going to find itself clean again. And it will.

At this point ... I'm real sensitive to disclosure and those types of issues because of what the securities industry has done, especially as to relationships. ... Those kinds of issues have severely damaged our industry - my industry - and so ... that's sort of clouding my view, and I'd have to look at [any proposed] legislation specifically and probably speak to an attorney ... [regarding] the legal issues as to agency before I could really [present] an opinion. ... But knowing what I do for a living and its background, ... I do have an idea [that] full disclosure - open, anything you can tell a client or a person you're working for - is best.

Number 0490

REPRESENTATIVE ROKEBERG suggested that recent case law has made the issue of dual agency more complex. He asked whether, in the securities industry, a person may represent both parties in a transaction.

MR. FLUETSCH said no, not without disclosure, adding that a number of those in the securities industry are under investigation for just such practices.

REPRESENTATIVE ROKEBERG again mentioned his proposed legislation pertaining to the issue of dual agency, adding that there is some dissension within the real estate community regarding that issue.

MR. FLUETSCH noted that laws pertaining to securities already make a distinction between qualified investment buyers and [those that aren't].

REPRESENTATIVE ROKEBERG indicated that he had no more questions for Mr. Fluetsch, and thanked him for being willing to serve on the Real Estate Commission.

Alaska Labor Relations Agency  
Board of Barbers and Hairdressers  
Board of Chiropractic Examiners  
State Medical Board  
Board of Nursing  
Board of Pharmacy  
Board of Psychologist and Psychological Associate Examiners  
Board of Veterinary Examiners

Number 0783

REPRESENTATIVE GATTO made a motion to advance from committee the nominations of the following appointees: Colleen E. Scanlon to the Alaska Labor Relations Agency; Charlette Lushin and Joylene A. Marrs to the Board of Barbers and Hairdressers; David J. Mulholland, D.C., to the Board of Chiropractic Examiners; Robert A. Breffeilh, M.D., to the State Medical Board; Mary H. Weymiller, LPN, to the Board of Nursing; William R. Altland, R.Ph., to the Board of Pharmacy; Lorin L. Bradbury, Ph.D., and John A. Miller, Ph.D., to the Board of Psychologist and Psychological Associate Examiners; Bradley J. Fluetsch, CFA, Barbara Parker-Ramesey, and David B. Somers to the Real Estate Commission; and Steven M. Torrence, D.V.M., to the Board of Veterinary Examiners.

Number 0974

CHAIR ANDERSON asked whether there were any objections to the motion. There being none, the confirmations were advanced from the House Labor and Commerce Standing Committee.

CHAIR ANDERSON, in response to a question, reminded members that signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees, and that the nominations are merely forwarded to the full legislature for confirmation or rejection.

HB 270 - PHARMACIST LICENSING

Number 1067

CHAIR ANDERSON announced that the next order of business would be HOUSE BILL NO. 270, "An Act relating to the licensure of pharmacists; and providing for an effective date."

Number 1085

ROBIN PHILLIPS, Staff to Representative Nancy Dahlstrom, Alaska State Legislature, noted, on behalf of Representative Dahlstrom, sponsor, that members should now have in their packets copies of the statutes pertaining to the appeal process for applicants and licensees who've been denied a license or who've had a license revoked. She noted that this process is set in statute under the Administrative Procedure Act (APA). In response to a question regarding whether HB 270 is even necessary, she said:

This bill was brought to us by the Board [of Pharmacy] and by their legal folks that had come up with the language. I believe ... its just [to] clarify any situation that may arise, so that they can deny a license rather than having to take it back after they've given the license.

Number 1197

BARRY CHRISTENSEN, R.Ph., Legislative Chair, Alaska Pharmacists Association (AkPhA), said simply that the AkPhA supports HB 270 because of the need to ensure that those applying for a pharmacist license are good, qualified applicants.

CHAIR ANDERSON, after ascertaining that no one else wished to testify, closed public testimony on HB 270.

Number 1235

REPRESENTATIVE ROKEBERG moved to report HB 270 out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, HB 270 was reported from the House Labor and Commerce Standing Committee.

HB 268 - LICENSING SPECIALTY CONTRACTORS

Number 1261

CHAIR ANDERSON announced that the next order of business would be HOUSE BILL NO. 268, "An Act relating to an exemption for specialty contractors under the laws regulating architects, engineers, land surveyors, and landscape architects."

Number 1274

DONALD J. IVERSON, P.E., Member, State Board of Registration for Architects, Engineers, and Land Surveyors ("the AELS board"), noted that he is also a consulting engineer in Anchorage. He relayed that he wished to speak in favor of HB 268, adding that the AELS board feels that the bill will offer clarity with regard to what specialty contractors can do.

REPRESENTATIVE ROKEBERG asked for an example of something that HB 268 would correct.

MR. IVERSON replied:

From what our enforcement officer told us, there are some contractors in rural communities, more than any place else, that have been doing complete mechanical - for example - designs. And the intent of this is to allow the specialty things like shop drawings for pieces of equipment that another engineer has reviewed [or] will review ... Or in the case of an electrical contractor, [with] let's say a fire alarm system, they would draw the specifics of it, but the engineer of record will check and approve that design. It's more of a clarification; I think the intent has always been that the complete [designs] of mechanical/electrical systems, for example, are done by professional engineers.

REPRESENTATIVE ROKEBERG asked whether such isn't already required under state law.

MR. IVERSON indicated that it is.

REPRESENTATIVE ROKEBERG asked whether contractors that do their own shop drawings can use "off-the-shelf components."

Number 1414

MR. IVERSON said that they may, and then those shop drawings are normally sent through to the engineer of record for review and approval. He added, however, that engineers don't normally get that far into the specifics of an off-the-shelf piece of equipment, and "that's why you have this kind of exception." He explained:

If you take a fire alarm system, for example, every manufacturer does it slightly differently. And if I ..., as an engineer, were trying to design it, I couldn't design the specifics of that manufacturer's equipment because I need a competitive bid - I need different manufacturers to bid on it. So, when he has won the bid, if you will, then he sends through the specifics of his equipment - shop drawings - and then I would review that and make sure that it is meeting the life safety codes and the understanding of the specification.

REPRESENTATIVE ROKEBERG asked how much an electrical contractor could do with a shop drawing without having an engineering stamp on it. Where is the line drawn?

MR. IVERSON remarked that that is difficult to say, adding that the ramifications to the whole building must be considered when whole-scale changes are made, and that such changes must be made by an engineer. In response to a question, he remarked that a "UL-approved switch" is required by other statutes.

Number 1628

PATRICK H. KALEN, PLS, Member, State Board of Registration for Architects, Engineers, and Land Surveyors ("the AELS board"), added that the AELS board did not think that HB 268, as currently worded, interfered with a contractor's ability to submit shop drawings.

Number 1638

HEATH HILYARD, Staff to Representative Lesil McGuire, Alaska State Legislature, indicated, on behalf of Representative McGuire, sponsor, that HB 268 would to some extent limit the ability of specialty contractors to do original design work of "that" nature. He mentioned that the Mechanical Contractors of Alaska, Inc., would be meeting that evening to decide whether to take an official position on HB 268. He surmised that if anyone has any concerns about the bill, they could be addressed in the House Rules Standing Committee.

Number 1700

REPRESENTATIVE ROKEBERG, after noting that he didn't really like the bill and had concerns about it, moved to report HB 268 out of committee with individual recommendations and the

accompanying zero fiscal note. There being no objection, HB 268 was reported from the House Labor and Commerce Standing Committee.

HB 32 - UNIFORM PRESCRIPTION DRUG CARD

Number 1754

CHAIR ANDERSON announced that the final order of business would be HOUSE BILL NO. 32, "An Act relating to a health insurance uniform prescription drug information card; and providing for an effective date."

The committee took an at-ease from 4:10 p.m. to 4:11.

[Not on tape, but taken from the Gavel to Gavel recording on the Internet, was:

REPRESENTATIVE JOHN COGHILL, Alaska State Legislature, sponsor, paraphrased from his sponsor statement, which, with original punctuation provided, read:

The intent of HB32 is to have a uniform prescription card implemented to expedite the amount of time a pharmacy technician spends gathering necessary information from the insurance company in order to process the insurance claim. Pharmacists are spending a disproportionate amount of time trying to address reimbursement issues rather than serving the health care needs of their customers. HB 32 would allow for more face-to-face care between pharmacists and patients. It would also minimize confusion, eliminate unnecessary paperwork, decrease administrative burdens, and streamline the dispensation of prescription products paid for by third party payors.

REPRESENTATIVE COGHILL indicated that he'd originally attempted to outline in statute all the things that would be on a prescription card, but because there were many things he was reluctant to have on the card, he'd instead decided to have a bill that simply said the director shall adopt, by regulation, uniform prescription drug information cards.]

Number 1790

REPRESENTATIVE ROKEBERG made a motion to adopt the proposed committee substitute (CS) for HB 32, Version 23-LS0203\D, Ford,

3/5/03, as the work draft. There being no objection, Version D was before the committee.

Number 1814

BARRY CHRISTENSEN, R.Ph., Legislative Chair, Alaska Pharmacists Association (AkPhA), said that the AkPhA supports passage of HB 32. He added that although the AkPhA would be more comfortable if certain items were listed in statute, it realizes that such is not possible at this time, and so it is trusting that the director will adopt suitable regulations.

REPRESENTATIVE ROKEBERG asked whether the original version of HB 32 is similar to legislation sponsored during the prior legislation.

REPRESENTATIVE COGHILL said it is essentially the same.

REPRESENTATIVE ROKEBERG recalled that that legislation was controversial.

REPRESENTATIVE CRAWFORD concurred.

REPRESENTATIVE COGHILL indicated that those controversial issues are resolved via Version D. In response to a question, he relayed that "Aetna" is amenable to Version D.

REPRESENTATIVE ROKEBERG noted that one of the problems with listing in statute the specific things that a card must have on it is that it would be difficult to make it be both uniform and flexible.

REPRESENTATIVE COGHILL concurred, and indicated that Version D resolves that issue as well.

REPRESENTATIVE GUTTENBERG asked why all the interested parties had not simply sat down with each other and created something that resolved their concerns.

REPRESENTATIVE COGHILL suggested that everyone's past attempts to list and define, in statute, all the necessary terms had met with failure. He opined that "lining up" all the information in statute is the wrong approach; thus Version D simply gives the division the authority to, by regulation, adopt uniform prescription drug cards, and mandates that it shall do so.

REPRESENTATIVE GUTTENBERG noted that the legislature has heard a lot of complaints over the years about the problems associated with creating, adopting, and changing regulations.

Number 2163

REPRESENTATIVE COGHILL pointed out that having something implemented via regulation instead of via statute is a policy call the legislature can make. He added that if they really wanted to wrestle with getting the necessary items listed in statute to everybody's satisfaction, he would be willing to undertake that project next year, but adopting Version D this year will enable [the division] to develop something in the meantime. He surmised that without the pressure of HB 32, the division might not even bother with the process of developing a prescription drug card. On the issue of whether there even ought to be such a card developed, he relayed that his constituency is in favor of it.

REPRESENTATIVE GATTO asked whether the information that would be on a uniform prescription drug card would be his information, the insurance company's information, or the pharmacy's information.

REPRESENTATIVE COGHILL replied: "It would have your name, insurance information, and prescription information. And that's actually what we were trying to describe in [the original version of the bill]."

REPRESENTATIVE CRAWFORD opined that Version D of HB 32 is heading down the right track, and that the quicker a uniform prescription drug card is developed, the better.

REPRESENTATIVE ROKEBERG asked Katie Campbell whether she would be the one writing the regulations proposed by Version D.

Number 2290

KATIE CAMPBELL, Actuary L/H, Central Office, Division of Insurance, Department of Community & Economic Development (DCED), confirmed that she would be the one writing those proposed regulations.

REPRESENTATIVE ROKEBERG asked Ms. Campbell whether she anticipates any problems doing so or requires any additional direction from the legislature.

MS. CAMPBELL replied:

I think that it's something the division can take on, and it is not going to be easy. I think ... the reason why it's been controversial is because the insurance companies think they have everything they need on there and the pharmacists are saying, "No, you don't have everything we need on there." And I think that the goal is really to sit down at the table with both of them and figure out what it is that really needs to be on the cards, and I guess that's what we would do through the regulatory process.

REPRESENTATIVE GUTTENBERG asked whether any other states or jurisdictions have a standard.

MS. CAMPBELL replied:

As I understand it, there are a number of states that have adopted uniform prescription drug card legislation; I don't know how many, or what they ... look like. From what I've heard, they vary from state to state, and the goal of the pharmacy organizations has been that it be a national standard so that it doesn't vary across states. And that just simply hasn't happened, as I understand it.

REPRESENTATIVE GUTTENBERG asked Ms. Campbell whether she envisions that the cards will have a magnetic strip or a bar code on the back so that the information can be read in that fashion as opposed to having everything printed on the card.

MS. CAMPBELL replied: "I don't think that was part of the plan; it was more ... like the Aetna card that has the information printed on it, [but] it wouldn't preclude the use of a bar code."

REPRESENTATIVE ROKEBERG again asked Ms. Campbell whether she needs any additional direction from the legislature.

MS. CAMPBELL replied:

I think one really critical piece that would be useful would be to get your direction on the use of the actual national standard that was referenced [in] the prior versions of the bill, and how close we need to be there.

**TAPE 03-48, SIDE B**

Number 2388

MS. CAMPBELL continued:

I think ... some of the issue has been that a lot of the claim processing is done electronically. And so even if you don't have it on the card, ... [when] you go in and you get a prescription filled, ... you have a social security number ... [to] put [on] the screen and ... all the information comes up that you need to process to a claim - ... you don't need to have all kinds of information on the card. ... That's their one side. And I think the pharmacists are saying, "No, we really want to have a card that has more complete information; that's consistent with this national standard." That's my understanding of the issue. And so, to the extent that you would want the division to draft a regulation that references those national standards, that would be useful.

REPRESENTATIVE GATTO, noting that he already has two cards from different insurance companies, asked whether it would be possible to create one card that could replace those he now carries in his wallet. Or would the uniform prescription drug card they've been discussing be in addition to the cards he now carries? Is there a standard that says it doesn't matter because the information is the same? But then the companies would be different, he remarked, and the pharmacist needs to know the company.

MS. CAMPBELL replied, "I think if we move to a single-payor system, that might work, but each insurance company is going to have their own information."

REPRESENTATIVE GUTTENBERG asked what the process would be when someone is traveling. He noted that it would be good if a pharmacist could also use the card to see what other prescriptions a person is using so as to be able to prevent conflicts in medication usage.

Number 2289

REPRESENTATIVE COGHILL said he is not sure whether this vehicle can solve the problem of having numerous cards. He suggested, though, that perhaps the cards could be made similar to each

other. He reiterated that the goal of HB 32 is to streamline the prescription process, and that he is reluctant to list specific things in statute. He again indicated that Version D offers a good way to go about the process of creating a uniform prescription drug card.

REPRESENTATIVE ROKEBERG posited that the division might welcome more legislative direction.

REPRESENTATIVE COGHILL said he would not mind adding some intent language to the bill or perhaps even attaching a letter of intent.

REPRESENTATIVE ROKEBERG asked Ms. Campbell whether there is a "turf war" going on and, if so, wouldn't it be better to avoid it by perhaps making a legislative decision with regard to certain items.

MS. CAMPBELL replied:

I think there is somewhat of a turf war, but any direction you that can give [regarding] how you would [like] ... to handle that would be helpful when we sit down ... [at] the table to talk about the card. I think it's been a very controversial issue, no doubt about it, between the pharmacists and the insurance companies [regarding] what should be on that card and how it should be structured. So I think some of the insurance companies' concern has been with the reference to those national standards, and so to the extent that we can get some direction on where you want to go, whether it's in statute or just intent language, something so that we know where you want to go with that would be helpful.

REPRESENTATIVE COGHILL surmised that he could probably get something drafted to that effect for the next committee of referral, adding that he favors the standard set forth by the National Council for Prescription Drug Programs (NCPDP).

REPRESENTATIVE DAHLSTROM mentioned that it would probably also be helpful to get input from the drug companies that provide computerized information.

REPRESENTATIVE COGHILL concurred.

REPRESENTATIVE ROKEBERG relayed that having the legislature make the decision regarding standards gives him greater comfort than just leaving that burden with the department to decide via regulation.

Number 2037

REPRESENTATIVE ROKEBERG moved to report the proposed CS for HB 32, Version 23-LS0203\D, Ford, 3/5/03, out of committee with individual recommendations and the forthcoming fiscal note. There being no objection, CSHB 32(L&C) was reported from the House Labor and Commerce Standing Committee.

**ADJOURNMENT**

Number 2020

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:40 p.m.