

ALASKA STATE LEGISLATURE
SENATE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE

March 27, 2006

1:33 p.m.

MEMBERS PRESENT

Senator Fred Dyson, Chair
Senator Gary Wilken, Vice Chair
Senator Lyda Green
Senator Kim Elton
Senator Donny Olson

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE CONCURRENT RESOLUTION NO. 5

Relating to support of community water fluoridation.

MOVED SCS HCR 5(HES) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 31

Relating to designating September 9, 2006, as Fetal Alcohol Spectrum Disorders Awareness Day.

MOVED SCS HJR 31(HES) OUT OF COMMITTEE

SENATE BILL NO. 281

"An Act relating to interdistrict operation of public schools; relating to enrollment of students by school districts and regional educational attendance areas; and relating to charter schools and correspondence programs."

BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HCR 5

SHORT TITLE: FLUORIDATION

SPONSOR(S): REPRESENTATIVE(S) SEATON

03/09/05	(H)	READ THE FIRST TIME - REFERRALS
03/09/05	(H)	CRA, HES
02/02/06	(H)	CRA AT 8:00 AM CAPITOL 124
02/02/06	(H)	Moved Out of Committee
02/02/06	(H)	MINUTE(CRA)
02/03/06	(H)	CRA RPT 5DP

02/03/06 (H) DP: SALMON, NEUMAN, CISSNA, THOMAS,
OLSON
02/21/06 (H) HES AT 3:00 PM CAPITOL 106
02/21/06 (H) Scheduled But Not Heard
02/23/06 (H) HES AT 3:00 PM CAPITOL 106
02/23/06 (H) Scheduled But Not Heard
02/28/06 (H) HES AT 3:00 PM CAPITOL 106
02/28/06 (H) Moved Out of Committee
02/28/06 (H) MINUTE(HES)
03/01/06 (H) HES RPT 3DP 1DNP
03/01/06 (H) DP: CISSNA, GARDNER, WILSON;
03/01/06 (H) DNP: KOHRING
03/13/06 (H) TRANSMITTED TO (S)
03/13/06 (H) VERSION: HCR 5
03/15/06 (S) READ THE FIRST TIME - REFERRALS
03/15/06 (S) HES
03/27/06 (S) HES AT 1:30 PM BUTROVICH 205

BILL: HJR 31

SHORT TITLE: FETAL ALCOHOL SPECTRUM DISORDERS DAY

SPONSOR(S): REPRESENTATIVE(S) WEYHRAUCH

02/08/06 (H) READ THE FIRST TIME - REFERRALS
02/08/06 (H) HES
02/23/06 (H) HES AT 3:00 PM CAPITOL 106
02/23/06 (H) <Bill Hearing Rescheduled to 2/28/06>
02/28/06 (H) HES AT 3:00 PM CAPITOL 106
02/28/06 (H) Moved Out of Committee
02/28/06 (H) MINUTE(HES)
03/01/06 (H) HES RPT 4DP
03/01/06 (H) DP: CISSNA, GARDNER, KOHRING, WILSON
03/13/06 (H) TRANSMITTED TO (S)
03/13/06 (H) VERSION: HJR 31
03/15/06 (S) READ THE FIRST TIME - REFERRALS
03/15/06 (S) HES
03/27/06 (S) HES AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

Representative Paul Seaton
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Sponsor of HCR 5.

Troy Ritter, Environmental Health Specialist
Alaska Native Tribal Health Consortium

4000 Ambassador Drive
Anchorage, AK 99508

POSITION STATEMENT: Offered information during the hearing on HCR 5.

Jacqueline Tupou, Staff
to Representative Bruce Weyhrauch
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Presented HJR 31 on behalf of the sponsor.

ACTION NARRATIVE

[Due to an audio-feed problem, the audio recording is blank for the first eight minutes.]

CHAIR FRED DYSON called the Senate Health, Education and Social Services Standing Committee meeting to order at [1:33:08 PM](#). Present were Senators Lyda Green, Kim Elton and Chair Fred Dyson. Senators Donny Olson and Gary Wilken joined the meeting in progress.

HCR 5-FLUORIDATION

[1:33:48 PM](#)

CHAIR DYSON announced HCR 5 to be up for consideration.

REPRESENTATIVE PAUL SEATON, Alaska State Legislature, sponsor, paraphrased the sponsor statement, which read:

HCR 5 encourages Alaskan communities to incorporate fluoride in their public water systems.

Fluoridating water has been shown to dramatically reduce dental cavities especially in children. Fluoride is one of the most efficient ways of providing cost-effective preventative dental health care. Every dollar spent on fluoridation saves \$37 in future dental expenses. Currently, all cities in Alaska with a population exceeding 30,000 have access to fluoridated water. The benefits of fluoridated water should be extended to all Alaskans.

HCR 5 requests that all new community water systems be engineered with the capacity for incorporating fluoride.

Tooth decay is a serious problem in Alaska, particularly in rural areas where access to dentists is not easily available. Poor dental health also puts a major burden upon Medicaid/Medicare programs.

Fluoridating community water systems is an investment in Alaska's public health that would provide returns both in dental health and to the pocketbook. HCR 5 makes it clear that the state supports communities in taking this step to improve the dental health of their residents.

He emphasized that HCR 5 leaves up to local communities the decision whether to fluoridate.

SENATOR OLSON arrived at [1:36:08 PM](#).

REPRESENTATIVE SEATON referred to a study by the U.S. Food and Drug Administration (FDA), brought attention to numerous Alaskan organizations in support and noted that 69 world health organizations support community fluoridation. In response to Chair Dyson, he mentioned the zero fiscal note from the Department of Environmental Conservation (DEC) as well as a figure of \$2,500 for engineering to add this ability.

CHAIR DYSON suggested costs would vary, depending on the plant.

[1:38:55 PM](#)

SENATOR OLSON asked how often a wrong concentration has been put into a water supply.

REPRESENTATIVE SEATON noted there'd been one very serious problem in Alaska. He pointed out that monitoring equipment has vastly improved over time. He said he didn't know the number of times an individual plant had been involved in such an incident.

SENATOR WILKEN arrived at [1:40:09 PM](#).

[Audio recording begins.]

[1:41:45 PM](#)

SENATOR ELTON began discussion of what became Conceptual Amendment 1. He said he had no problem with the resolution, but suggested clarification was needed on page 2, line 17, perhaps to say "to allow easy later incorporation of fluoridation". He added that he needed to think about it further.

[1:42:16 PM](#)

SENATOR GREEN highlighted the same wording, but a different concern: since communities don't design or pay for these systems, she questioned whether they really have a choice regarding what is incorporated into a system.

REPRESENTATIVE SEATON indicated someone from "Village Safe Water" was on teleconference. He then specified the intent: the State of Alaska, when it goes through the design criteria and designs water systems, will incorporate into those systems the necessary connections. The choice of whether to fluoridate the water is up to the community, however. He pointed out that the state doesn't want to have to re-engineer a system. He said he wasn't opposed to clarifying the language.

[1:44:52 PM](#)

SENATOR GREEN asked, if this requires DEC to take action, whether a resolution is the proper vehicle and whether perhaps it should be a bill instead.

REPRESENTATIVE SEATON agreed that if the desire is to mandate that DEC do it, there'd be a bill. He indicated the intent is that this be included in the request for proposals (RFP) for design, as one design criterion.

[1:46:18 PM](#)

SENATOR GREEN said she believes it goes beyond a resolution, since if the community desires it and requests it, then DEC will be responsible for making it available.

REPRESENTATIVE SEATON suggested the Village Safe Water person could say whether that is normally included in designs anyway. He stated his intention to let DEC know that the legislature would appreciate it if DEC designed the taps into all future facilities so that communities could select the option at a future time without great cost.

[1:47:11 PM](#)

CHAIR DYSON offered his experience that a resolution is one way for the legislature to declare its intention. He said he sees no harm in making this statement. If DEC concurs, it will probably happen if the administration doesn't disagree.

[1:47:57 PM](#)

CHAIR DYSON proposed amending page 2, line 17, to say, "all new public water systems incorporate engineering designed to facilitate incorporation of fluoridation if the community so desires at a [later] time."

REPRESENTATIVE SEATON said he had no problem with that.

[1:49:15 PM](#)

SENATOR ELTON remarked that he was comfortable with the language proposed by Chair Dyson, but asked whether Representative Seaton intended this to include all new water systems.

REPRESENTATIVE SEATON replied, "The intent here is the ones that we fund, and so we're funding public water systems and Village Safe Water systems."

[1:49:46 PM](#)

CHAIR DYSON pointed out that some public water systems might not have a state component in their funding. He surmised that Representative Seaton meant to imply the ones under the jurisdiction of the state inspectors, regardless of whether state money is involved. He requested confirmation.

REPRESENTATIVE SEATON nodded and replied, "Thank you."

[1:50:14 PM](#)

SENATOR GREEN interpreted the foregoing to mean this includes a private builder, and again said she doesn't see how this can be done by resolution.

CHAIR DYSON clarified that he intends to ensure it doesn't include a private builder. He pointed out that the original language referred to all new systems. He said he didn't want private individuals, with their own wells, to suddenly have to deal with this.

REPRESENTATIVE SEATON said he appreciated the clarification.

[1:51:24 PM](#)

CHAIR DYSON moved to adopt Conceptual Amendment 1, page 2, line 17, to read: "Further Resolved that all new public water systems incorporate engineering design to facilitate incorporation of fluoridation if the community so desires at a later time." Suggesting it was a bit awkward, Chair Dyson slightly reworded it to say "at a later time if the community so desires it."

[1:52:17 PM](#)

SENATOR ELTON said he liked the second approach, but would be comfortable leaving it to the drafter.

CHAIR DYSON asked whether there was any objection. No objection was stated, and Conceptual Amendment 1 was adopted. He announced that the wording would be left to the drafter.

[1:52:40 PM](#)

REPRESENTATIVE SEATON noted that on teleconference was Troy Ritter of the Alaska Native Tribal Health Consortium, which works with fluoridated water systems and Village Safe Water.

CHAIR DYSON asked whether Mr. Ritter had any information that he believed members needed to know before moving the bill.

[1:52:58 PM](#)

TROY RITTER, Environmental Health Specialist, Alaska Native Tribal Health Consortium, offered some clarification. Reporting that he sits on the Indian Health Services sanitation (indisc.), he said this system provides about \$20 million a year for village water and (indisc.) in Alaska. The state's Village Safe Water program is kind of a partner funding organization. "We work together to build pretty much all Alaskan water and sewer infrastructure," he said. Mr. Ritter reported that, from a practical standpoint, this ability to add fluoridation later is already being incorporated - at least it is supposed to work that way, although a couple of times it wasn't done because of an oversight or an engineer's opinion.

[1:54:16 PM](#)

SENATOR GREEN asked whether anyone from DEC was available.

REPRESENTATIVE SEATON said no. He noted that Mr. Ritter works with DEC in designing water systems.

[1:54:46 PM](#)

SENATOR ELTON moved to report HCR 5, as amended, from committee with individual recommendations and attached fiscal notes. Without objection, SCS HCR 5(HES) was reported from the Senate Health, Education and Social Services Standing Committee.

HJR 31-FETAL ALCOHOL SPECTRUM DISORDERS DAY

[1:55:21 PM](#)

CHAIR DYSON announced HJR 31 to be up for consideration.

JACQUELINE TUPOU, Staff to Representative Bruce Weyhrauch, Alaska State Legislature, presented HJR 31 on behalf of Representative Weyhrauch, sponsor. She explained that HJR 31 designates September 9 as "Fetal Alcohol Spectrum Disorders Awareness Day." Fetal alcohol spectrum disorder (FASD) is the single largest cause of mental retardation in Alaska and yet is preventable. If women didn't drink during pregnancy, FASD would be eradicated. Alaska has the highest rate in the nation. Thus concerned parents came together on the Internet and are trying to foster worldwide awareness on the ninth month, ninth day and ninth hour to remember that pregnant women shouldn't drink throughout the nine months of pregnancy.

She said more American children are affected at birth by FASD than by HIV, muscular dystrophy and Down's syndrome combined; economic and social costs are exorbitant for the state. Ms. Tupou referred to a 2005 survey of social providers and doctors, reporting that more than 50 percent of the obstetrician-gynecologists (OB/GYNs) thought it might be okay for a women to drink a little while pregnant. She emphasized the need to get the "Do not drink" message out so that FASD can be eradicated. This is a first step towards increasing awareness in Alaska, Ms. Tupou concluded.

[1:57:34 PM](#)

SENATOR ELTON voiced his full support. Beginning discussion of Conceptual Amendment 1, he referred to page 3, lines 5-7, and suggested sending copies not only to Washington, D.C., but also

around Alaska, including the Department of Health and Social Services and the mayors of organization communities.

MS. TUPOU replied that it would be fine with the sponsor.

SENATOR ELTON pondered whether others should receive it as well.

[1:58:24 PM](#)

SENATOR ELTON moved to adopt Conceptual Amendment 1, on page 3, line 7, after "Congress", to add the state Department of Health and Social Services and the mayors of organized Alaska communities.

CHAIR DYSON proposed amending it to include school boards.

SENATOR ELTON concurred, mentioning the possibility of superintendents as well and then returning to school boards.

CHAIR DYSON asked whether there was any objection. No objection was stated, and Conceptual Amendment 1, as amended, was adopted.

He countered the assertion that this is a first step, noting that many steps have been taken in the past. He cited examples, such as labeling and signs in bars, and noted that Alaska is trying to address this problem with teams and FASD-support groups. He acknowledged that it's still short of what needs to be done.

MS. TUPOU explained that it was a first step for her office. She informed members that a FASD-related bill would be coming through as well.

[2:00:22 PM](#)

SENATOR WILKEN moved to report HJR 31, as amended, from committee with individual recommendations and attached fiscal notes. Without objection, SCS HJR 31(HES) was reported from the Senate Health, Education and Social Services Standing Committee.

CHAIR DYSON updated the committee on the overviews scheduled for the next committee meeting.

SENATOR WILKEN turned attention to personal care attendants (PCA). He noted that on March 2 the committee had received a report on PCAs. He'd asked the department some pointed questions, and on March 21 had received a letter in response,

which he surmised other members had received as well. He thanked Ms. Clarke for putting the information together.

[2:03:52 PM](#)

SENATOR WILKEN continued with PCAs, discussing the growth in expenditures that began in 2002.

[2:05:22 PM](#)

SENATOR WILKEN noted that expenditures in Alaska since 1999 increased by a multiple of ten, even before the changes under the previous administration kicked in. He cited statistics and suggested looking into the \$110 million being spent; how this situation evolved; and how to rein in costs, or at least plan for the future.

[2:07:57 PM](#)

SENATOR GREEN mentioned attempts to reconstruct regulations to bring about additional changes. She said the greatest "pushback" comes from legislators who don't want to see the changes because of comments they receive from constituents. She highlighted the difficulty of the problem.

CHAIR DYSON referred to a recent presentation before the committee about the new regulations. He recalled that the genius of this concept is that it applies to people who'd be headed for institutional care without it - it frees family members, for example, who might have another job or just need a little help. However, it seemed that people then went looking for a job or looking for money for relatives or friends who were already doing this and didn't need the money. Chair Dyson expressed concern that the direction now doesn't get back to the idea of only helping those who need the bit of financial help in order to take care of someone they already want to help.

[2:10:47 PM](#)

CHAIR DYSON suggested this topic could be addressed by the department at the March 29 meeting.

SENATOR WILKEN reiterated that the growth concerns him. He pointed out that the regulations would be in effect this coming Saturday [April 1].

[2:12:22 PM](#)

SENATOR ELTON suggested the need to find out, if money is being invested in one way, whether it results in a savings elsewhere because people aren't being institutionalized.

CHAIR DYSON said he'd try to contact the senior center in his own community, which is a rallying point for seniors there.

There being no further business to come before the committee, Chair Dyson adjourned the Senate Health, Education and Social Services Standing Committee meeting at [2:13:42 PM](#).