

ALASKA STATE LEGISLATURE
HOUSE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 29, 2012

3:01 p.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Alan Dick, Vice Chair
Representative Bob Herron
Representative Paul Seaton
Representative Beth Kerttula
Representative Bob Miller

MEMBERS ABSENT

Representative Charisse Millett

COMMITTEE CALENDAR

SENATE BILL NO. 202

"An Act relating to resuscitation protocol documents that may be adopted by reference in regulations."

- MOVED SB 202 OUT OF COMMITTEE

SENATE CONCURRENT RESOLUTION NO. 16

Proclaiming May 2012 to be Celiac Disease Awareness Month.

- MOVED SCR 16 OUT OF COMMITTEE

HOUSE BILL NO. 319

"An Act requiring a study of the health effects of airport security screening."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 202

SHORT TITLE: RESUSCITATION PROTOCOL DOCUMENTS

SPONSOR(S): SENATOR(S) EGAN

02/17/12	(S)	READ THE FIRST TIME - REFERRALS
02/17/12	(S)	HSS
03/05/12	(S)	HSS AT 1:30 PM BUTROVICH 205
03/05/12	(S)	Moved SB 202 Out of Committee

03/05/12 (S) MINUTE(HSS)
 03/06/12 (S) HSS RPT 4DP
 03/06/12 (S) DP: DAVIS, MEYER, EGAN, DYSON
 03/16/12 (S) TRANSMITTED TO (H)
 03/16/12 (S) VERSION: SB 202
 03/19/12 (H) READ THE FIRST TIME - REFERRALS
 03/19/12 (H) HSS
 03/29/12 (H) HSS AT 3:00 PM CAPITOL 106

BILL: SCR 16

SHORT TITLE: CELIAC DISEASE AWARENESS MONTH
 SPONSOR(s): SENATOR(s) GIESSEL

01/17/12 (S) READ THE FIRST TIME - REFERRALS
 01/17/12 (S) STA
 02/07/12 (S) STA AT 9:00 AM BUTROVICH 205
 02/07/12 (S) Moved SCR 16 Out of Committee
 02/07/12 (S) MINUTE(STA)
 02/08/12 (S) STA RPT 5DP
 02/08/12 (S) DP: WIELECHOWSKI, KOOKESH, PASKVAN,
 MEYER, GIESSEL
 03/16/12 (S) BEFORE THE SENATE ON FINAL PASSAGE
 03/16/12 (S) TRANSMITTED TO (H)
 03/16/12 (S) VERSION: SCR 16
 03/19/12 (H) READ THE FIRST TIME - REFERRALS
 03/19/12 (H) HSS
 03/29/12 (H) HSS AT 3:00 PM CAPITOL 106

BILL: HB 319

SHORT TITLE: STUDY HEALTH EFFECTS OF AIRPORT SCREENING
 SPONSOR(s): REPRESENTATIVE(s) CISSNA

02/10/12 (H) READ THE FIRST TIME - REFERRALS
 02/10/12 (H) HSS, FIN
 03/29/12 (H) HSS AT 3:00 PM CAPITOL 106

WITNESS REGISTER

SENATOR DENNIS EGAN
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Introduced SB 202 as the prime sponsor of the bill.

RICHARD ETHERIDGE, Chief
 Capital City Fire and Rescue;
 Second Vice President, State Fire Chief Association

Juneau, Alaska

POSITION STATEMENT: Testified during discussion of SB 202.

KEN ZAFREN, Medical Director
State EMS (Emergency Medical Services) Council
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 202.

DAVID HULL, Chair
Governor's Alaska Council on Emergency Medical Services (ACEMS)
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of SB 202.

WARD HURLBURT, M.D., Chief Medical Officer/Director
Division of Public Health
Central Office
Department of Health and Social Services
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 202.

SENATOR CATHY GIESSEL
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced SCR 16 as the prime sponsor of the resolution.

BRANDY WENDLER, RN
Alaska Nurse Practitioner Association
Anchorage, Alaska

POSITION STATEMENT: Testified during discussion of SCR 16.

TERESA NEENO
Allergist
Allergy, Asthma, and Immunology Center of Alaska
Anchorage, Alaska

POSITION STATEMENT: Testified during discussion of SCR 16.

ANNA WHITE, Staff
Representative Sharon Cissna
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced HB 319 for Representative Cissna, the prime sponsor of the bill.

REPRESENTATIVE SHARON CISSNA
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained the details of HB 319 as the prime sponsor of the bill.

MARILYN GUTTENBERG
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 319.

DIANE SCHENKER, Co-Director
Alaskans' Freedom to Travel USA
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 319.

PATRICIA ANDERSON, Co-Director
Alaskans' Freedom to Travel USA
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 319.

JOE MCLAUGHLIN, MD, MPH
Chief and State Epidemiologist
Section of Epidemiology
Division of Public Health
Department of Health and Social Services
Anchorage, Alaska

POSITION STATEMENT: Testified and answered questions during discussion of HB 319.

ACTION NARRATIVE

[3:01:05 PM](#)

CHAIR WES KELLER called the House Health and Social Services Standing Committee meeting to order at 3:01 p.m. Representatives Keller, Seaton, Miller, and Dick were present at the call to order. Representatives Herron and Kerttula arrived as the meeting was in progress.

SB 202-RESUSCITATION PROTOCOL DOCUMENTS

[3:01:38 PM](#)

CHAIR KELLER announced that the first order of business would be SENATE BILL NO. 202, "An Act relating to resuscitation protocol documents that may be adopted by reference in regulations."

[3:02:00 PM](#)

SENATOR DENNIS EGAN, Alaska State Legislature, explained that proposed SB 202 addressed CPR (Cardiopulmonary Resuscitation) standards and resuscitation protocol. He explained that, although CPR standards were regularly updated based on new research, the process for changing the state agency regulations remained slow. He noted that the current state regulations referenced outdated and incorrect CPR standards. He directed attention to AS 47.05.012 which allowed the Department of Health and Social Services (DHSS) to adopt certain health materials and standards by reference. He reported that proposed SB 202 would add the findings of the International Liaison Committee on Resuscitation (ILCOR), an international group of scientists that review studies, make treatment recommendations, and publish the findings, to the list of documents included in statute. He noted that the current resuscitation regulations were adopted in 2002, with the standard being administration of 15 chest compressions and 2 breathes. Today, he stated, it was recommended to train rescuers to use 2 breathes for every 30 compressions, while the average bystander was now taught to only use compressions. He declared that proposed SB 202 would ensure that emergency medical services instructors in Alaska would now teach the most current and appropriate resuscitation standards without the burdensome revision of agency regulations.

[3:04:12 PM](#)

REPRESENTATIVE SEATON, commenting on resistance to national standards, asked if Legislative Legal and Research Services had any concerns with the proposed bill.

[3:04:47 PM](#)

SENATOR EGAN, in response, said that, as the proposed bill took the ILCOR findings into consideration, Legislative Legal and Research Services were satisfied.

[3:05:48 PM](#)

REPRESENTATIVE SEATON clarified that he was in favor of the legislation, but he relayed the concerns for varying standards voiced by different groups during past legislation.

[3:06:53 PM](#)

RICHARD ETHERIDGE, Chief, Capital City Fire and Rescue, Second Vice President, State Fire Chief Association, declared that the proposed bill was a greatly needed change in regulations and

statutes as it would assist in saving lives through CPR. He reported that CPR standards were updated regularly from scientific research by ILCOR and the American Heart Association. He explained that Alaska would fall behind in updates of standards as the current regulations were written into Alaska statute, which required the legislative process to be updated. He said that the proposed bill would place the CPR standards into regulations that would allow DHSS to update them. He declared that the CPR changes worked, and he shared that five to nine people were saved in Juneau annually. He pointed out that the proposed bill impacted the daily lives of the providers as re-certifications were now to a national standard. He declared his support for SB 202.

[3:10:23 PM](#)

CHAIR KELLER asked if there were any ramifications for risk to the fire department or the State of Alaska if the standards were not updated.

CHIEF ETHERIDGE replied that he was not aware of any additional risk.

[3:11:09 PM](#)

CHIEF ETHERIDGE, in response to Representative Herron, said that he was a citizen of Juneau. In response to another question from Representative Herron, he said that he was not aware if Senator Egan was currently certified to perform CPR.

[3:11:44 PM](#)

REPRESENTATIVE SEATON asked if there was a time lag between the latest protocol based on ILCOR standard and local teaching, and if this would cause any unintended consequence.

[3:13:27 PM](#)

CHIEF ETHERIDGE replied that existing standards were maintained until an agency recognized, updated, and trained to the new standards, although this was usually a very short time.

[3:14:25 PM](#)

KEN ZAFREN, Medical Director, State EMS (Emergency Medical Services) Council, declared his support for proposed SB 202, as it would allow EMS agencies in Alaska to update resuscitation

techniques based on the latest recommendations. He said that ILCOR reviewed all the research, then made its recommendations, which were put into guidelines by the American Heart Association and the European Resuscitation Council. He pointed out that these two sets of guidelines were usually similar though not necessarily identical. He explained that that the proposed bill based the recommendations on those from ILCOR, as it gave EMS more flexibility for a choice of guidelines to best serve the state.

[3:17:48 PM](#)

DAVID HULL, Chair, Governor's Alaska Council on Emergency Medical Services (ACEMS), expressed his support for the proposed legislation. He explained that ILCOR was the CPR procedure. He agreed with Chief Etheridge that the latest standards would be taught when people returned for recertification. He declared that the proposed bill would allow EMS instructors in Alaska "to teach the most current, appropriate resuscitation standards as they are published, without having to go through the regulatory changes to adopt new curricula for our training programs."

[3:20:41 PM](#)

WARD HURLBURT, M.D., Chief Medical Officer/Director, Division of Public Health, Central Office, Department of Health and Social Services, testified in support of SB 202, as it allowed the use of contemporary recommendations to determine the preferred methodology for training and teaching CPR, as well as the flexibility to make modifications if the methodology was updated by ILCOR. He pointed out that, as there was not any monitoring of CPR, individuals would use the training method that they had learned, and would continue to save lives with CPR. He opined that the proposed bill would not create any confusion.

[3:23:14 PM](#)

CHAIR KELLER closed public testimony.

[3:23:37 PM](#)

REPRESENTATIVE SEATON said that his concern for the timing of the certification to the new procedures was alleviated.

[3:24:18 PM](#)

REPRESENTATIVE DICK moved to report SB 202 out of committee with individual recommendations and the accompanying zero fiscal notes. There being no objection, SB 202 was forwarded from the House Health and Social Services Standing Committee.

SCR 16-CELIAC DISEASE AWARENESS MONTH

[3:24:43 PM](#)

CHAIR KELLER announced that the next order of business would be SENATE CONCURRENT RESOLUTION NO. 16, Proclaiming May 2012 to be Celiac Disease Awareness Month.

[3:25:15 PM](#)

SENATOR CATHY GIESSEL, Alaska State Legislature, stated that proposed SCR 16 would designate May 2012 as Celiac Disease Awareness Month. She explained that celiac disease, though often erroneously referred to as gluten intolerance, was a genetic disease in which exposure to gluten actually damaged the intestinal walls. She reported that gluten was a protein found on wheat, rye, and barley, and that 1 out of 133 Americans, more than 5,000 Alaskans, was estimated to have celiac disease, even though almost 97 percent were not aware of it. She shared that, as the symptoms were vague, often it was not immediately diagnosed. She pointed out that, as there was not a cure, only a strict gluten free diet could treat it. She reported that beer, cold cuts, soy sauce, and some cosmetics all contained gluten.

[3:28:04 PM](#)

CHAIR KELLER expressed his appreciation for the proposed resolution.

[3:28:30 PM](#)

REPRESENTATIVE KERTTULA shared that she also had celiac disease, and she offered her support for the proposed resolution.

[3:28:47 PM](#)

BRANDY WENDLER, RN, Alaska Nurse Practitioner Association, stated that she has celiac disease, possibly since her freshman year in high school, although it took ten years for her to get the diagnosis. She explained that the ingestion of gluten caused an auto-immune reaction, and in the small intestine this resulted in an inability to absorb nutrients from food. She

shared that, even though she was in the medical field, she had not been able to get an appropriate diagnosis. She declared that the raising of awareness was "pivotal in saving people the suffering" and the money which resulted from mis-diagnosis.

[3:30:59 PM](#)

TERESA NEENO, Allergist, Allergy, Asthma, and Immunology Center of Alaska, said that, as numerous people had food allergies, diagnosis for celiac disease was often missed. She explained that the removal of gluten from the diet made the tests for celiac disease non-reactive. She declared that the raising of awareness for celiac disease would increase that conversation between providers and patients, and allow for earlier diagnosis.

[3:32:18 PM](#)

CHAIR KELLER asked if it was celiac disease or its awareness that was increasing. He asked what was the cause for a genetic disorder.

[3:33:09 PM](#)

DR. NEENO, in response to Representative Keller, said that the prevalence was not increasing, but that there was more awareness of the disease. She agreed that awareness allowed for earlier diagnosis, as the tests were then given. She pointed out that failure to have the tests could lead to more complications from other auto immune disorders, often seen in conjunction with celiac disease. She stated that, although these were different than allergies, food was a commonality to both.

CHAIR KELLER expressed his surprise to the prevalence.

DR. NEENO said that there were a lot of alternatives to diet, and there was a lot of information for gluten free products on line.

[3:35:31 PM](#)

REPRESENTATIVE KERTTULA asked if celiac disease was more prevalent in Scandinavians.

DR. NEENO replied that she was unaware of the prevalence in populations around the world, but that there was more gluten sensitivity in the northern tiers, such as the Irish. She declared it likely there was a selective advantage at some point

in time. She shared that, although a genetic study was available, a positive test only increased the likelihood, as celiac disease was more common in Caucasian populations. She declared that celiac disease was clearly a genetic disease with some groups having a greater predisposition.

[3:37:49 PM](#)

CHAIR KELLER closed public testimony.

[3:38:17 PM](#)

REPRESENTATIVE KERTTULA asked about the connection of celiac disease in cosmetics.

[3:38:37 PM](#)

REPRESENTATIVE DICK moved to report SCR 16 out of committee with individual recommendations and the accompanying zero fiscal notes. There being no objection, SCR 16 was reported from the House Health and Social Services Standing Committee.

[3:39:35 PM](#)

The committee took an at-ease from 3:39 p.m. to 3:44 p.m.

HB 319-STUDY HEALTH EFFECTS OF AIRPORT SCREENING

[3:44:11 PM](#)

CHAIR KELLER announced that the final order of business would be HOUSE BILL NO. 319, "An Act requiring a study of the health effects of airport security screening."

[3:45:00 PM](#)

ANNA WHITE, Staff, Representative Sharon Cissna, Alaska State Legislature, paraphrased from the sponsor statement:

HB 319 requires the Department of Health and Social Services to conduct a study to determine the health consequences of the federal Transportation Security Administration's (TSA) procedures in Alaska. The study will indicate the physical, mental health and emotional impacts on Alaskans who are traveling through locations that require TSA procedures.

Many Alaskans who have traveled outside Alaska since October 2010 have experienced full-body scanners and invasive physical exams given by TSA in larger airports throughout the United States. However, starting in December of last year, body scanners were installed at the international airports in Anchorage, Fairbanks, Juneau and Ketchikan.

The software in these machines makes the image less personal than those of older machines, but the scanner's millimeter wavelength technology has drawn health concern from some passengers, and there is insufficient independent scientific verification to be assured of their safety.

If a scanner detects anything irregular in the person's body, or if a passenger refuses to be scanned, TSA procedures call for a hands-on exam by a TSA employee. People who have previously been subjected to events, either from work, environmental, medical treatment or physical assault related can be re-traumatized by this type of touching. Unfortunately, trauma is pervasive in Alaska. Increase in physically invasive touch on a population leading the nation in trauma of many kinds requires study to assess the mental health impacts on Alaska's population. The cost of those impacts also needs to be examined.

In addition to emotional reactions, there is concern for protecting the public health. Among these concerns is the need for advanced health training of TSA workers who touch private and possibly surgically or otherwise injured body parts that may also have communicable diseases. These issues are critical to travel in Alaska. Alaskans not only travel eight times more than the national average, and a study is needed to critically assess the possible impacts of TSA procedures on the mental, emotional and physical health of Alaskans.

[3:47:11 PM](#)

REPRESENTATIVE SHARON CISSNA, Alaska State Legislature, declared that Alaska had high levels of trauma, behavioral problems, and domestic violence, and consequently, that many Alaskans were more sensitive to being touched in an inappropriate way.

Reporting that the "pat downs" started in October 2010, she declared these to be "a physical exam by someone who did not know what they were doing, and it was beyond invasive." She relayed that, after she had gone public with her reactions to the use of a body scanner a few months later, she had received about 1000 e-mails. Since that time, she stated that she had received an additional 1000 e-mails, calls, and letters relating personal stories of airport experiences. She said the vast majority of the respondents had not reported their experiences to TSA. She explained that the proposed bill would have the Department of Health and Social Services (DHSS) conduct a study of the impacts that occur [from airport screenings], and review "health in a broader way than some people would." She professed that this would identify the psychological trauma, especially to those suffering from post-traumatic stress disorder, from the airport screening. She explained that this re-traumatization from the screenings could reverse any prior therapies for trauma. She offered a personal experience. She declared that the proposed study would clarify many questions. She spoke about the confusion for children when watching their parents being touched at the airport screenings "in the very way their parents told them not to let anybody touch them." She declared that Alaska already had to spend a large amount of money on mental and physical health issues, and that airport screenings brought up many of these issues. She described a physical contact during an airport screening that was a health concern. She offered her belief that the study [described in proposed HB 319] was necessary.

[3:58:05 PM](#)

REPRESENTATIVE DICK asked about her discussions with DHSS and if there was a fiscal note for the proposed bill.

REPRESENTATIVE CISSNA directed attention to the attached fiscal note [Included in members' packets]. She agreed that although it was not a small amount, DHSS had forecast the need for three studies.

[3:59:15 PM](#)

REPRESENTATIVE SEATON pointed out that the fiscal note was for \$640,000 in each of FY13 and FY 14.

REPRESENTATIVE CISSNA said that the proposed bill would also address some of the governor's concerns. She shared that when she had asked TSA for a study, they had instead responded to the

governor with an "outline [of] the job they're doing, but with no numbers or any real study."

4:00:25 PM

REPRESENTATIVE DICK asked if there had been a nationwide study.

REPRESENTATIVE CISSNA, in response, said that she had not found any of this information. She declared that there was no oversight on TSA, and that states did not have the power to change TSA, as it was a federal entity. She expressed her concern that the State of Alaska would be financially accountable for the outcome of these airport screenings, especially for any problems related to re-traumatization.

4:02:13 PM

REPRESENTATIVE SEATON asked whether the proposed study should concentrate on the newer screening systems, instead of including the older systems.

REPRESENTATIVE CISSNA suggested that there would be different effects from each type of technology, and she questioned the safety and consequences from each type. She shared the TSA claim that the scanner was safer than the flight, and she reported that her next study would be on the dangers of flight. She offered her belief that the new scanners were more X-ray like, and could be more damaging to anyone with potential cancers on body surfaces. She expressed her desire to find that other studies were available. She opined that studies were not conducted because of "what feels like political issues."

4:06:31 PM

REPRESENTATIVE SEATON, directing attention to page 1, line 7, of the proposed bill, asked to clarify the intent of the study; whether the bill was attempting to establish a percentage of traumatized people, or to find out if these traumas did exist.

REPRESENTATIVE CISSNA replied that she wanted to ensure that Alaska airports were given the freedom to change the security process which was "inflicted on our passengers," so that passengers were touched in ways that were respectful and safe. She declared that the State of Alaska needed to be responsible for the money spent on health care, "to fight to make sure that we bring the cost down," and to demand to be reimbursed for the costs that arise from federal decisions.

[4:10:10 PM](#)

REPRESENTATIVE KERTTULA, offering her belief that the federal government should do this study, opined that the proposed fiscal note would not allow the proposed bill to pass. She suggested inserting "(E) post-traumatic stress disorder" on page 1, after line 13.

[4:11:37 PM](#)

MARILYN GUTTENBERG declared that there was physical and psychological harm from repeated use of the screening machines, as the machines were not calibrated. She described a personal experience.

DIANE SCHENKER, Co-Director, Alaskans' Freedom to Travel USA, said that she had spent at least one day each week at the Anchorage Airport interviewing travelers since the scanners were installed in December 2011. She declared that the scanners had many false alarms; hence, the screeners would pat down and touch the passengers. She relayed some of the passenger stories of invasive pat downs by screeners. She commented on the possible health consequences from searches of luggage, as passengers no longer had any control over their luggage. She stated that, as some people would no longer travel by plane, there were unintended health consequences.

[4:18:49 PM](#)

PATRICIA ANDERSON, Co-Director, Alaskans' Freedom to Travel USA, stated that she had been groped 5 times in the last 16 months, and she had cancelled two other flights because she did not want to be touched again. She declared that she now refused to go through the scanners, as she was not assured to the safety of these scanners. She discussed some of her personal experiences with TSA and her concerns with her perceived lack of sanitation by TSA, revealing that she did want to do anything that could compromise her well-being. She stated that flying was very stressful. She expressed her concern for the well-being of her daughter, and that she had attempted to limit both of their exposures to x-rays. She declared the need for an immediate, independent, published study.

[4:23:17 PM](#)

JOE MCLAUGHLIN, MD, MPH, Chief and State Epidemiologist, Section of Epidemiology, Division of Public Health, Department of Health and Social Services, stated that the administration had no position on the proposed bill. He declared that proposed HB 319 would require DHSS to investigate the varied health effects of airport screening in general. He noted that it would be necessary to evaluate the potential for psychological trauma and physical effect from airport screening to travelers. He declared that passage of HB 319 would necessitate that DHSS contract with one or more outside agencies to perform the studies. He offered his belief that this would require several separate studies, including behavioral health, radiologic, and toxicologic studies. Each of these studies would require the development of a study protocol, review by an institutional review board, and two years for the implementation and write up. He declared that the studies would be very expensive, a challenge to successfully implement, and a substantial increase to the current DHSS workload.

[4:25:54 PM](#)

CHAIR KELLER closed public testimony.

[4:26:20 PM](#)

REPRESENTATIVE DICK asked Representative Cissna if the proposed bill would be a good investment of the funds and effective in repealing the actions of TSA.

[4:27:18 PM](#)

REPRESENTATIVE CISSNA offered her belief that many actions had occurred without a full study to the consequences. She opined that the screenings at airports would change our culture. She shared that officials from TSA had suggested a curricula for children to better understand the pat downs at airports. She declared that federal and state constitutional rights had been lost. She suggested that the federal government should be sued. She declared that proposed HB 319 was an effort to gather the information.

[4:31:36 PM](#)

CHAIR KELLER declared that HB 319 would be held over.

[4:32:10 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Health and Social Services Standing Committee meeting was adjourned at 4:32 p.m.