

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 28, 2012

1:33 p.m.

MEMBERS PRESENT

Senator Bettye Davis, Chair
Senator Dennis Egan
Senator Kevin Meyer
Senator Fred Dyson

MEMBERS ABSENT

Senator Johnny Ellis

COMMITTEE CALENDAR

PRESENTATION: NEIGHBORWORKS ANCHORAGE

- HEARD

SENATE CONCURRENT RESOLUTION NO. 23
Designating March 2012 as Congenital Cytomegalovirus Awareness Month.

- MOVED CSSCR 23(HSS) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 224(FIN) AM
"An Act prohibiting the sale or gift of a product containing nicotine to a minor under certain conditions."

- MOVED CSHB 224(FIN) AM OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SCR 23

SHORT TITLE: CONGENITAL CYTOMEGALOVIRUS MONTH

SPONSOR(s): SENATOR(s) MCGUIRE

02/21/12	(S)	READ THE FIRST TIME - REFERRALS
02/21/12	(S)	HSS
03/28/12	(S)	HSS AT 1:30 PM BUTROVICH 205

BILL: HB 224

SHORT TITLE: SALES OF NICOTINE PRODUCTS TO MINOR

SPONSOR(s): REPRESENTATIVE(s) SEATON

04/04/11 (H) READ THE FIRST TIME - REFERRALS
 04/04/11 (H) JUD, FIN
 04/11/11 (H) JUD AT 1:00 PM CAPITOL 120
 04/11/11 (H) Scheduled But Not Heard
 04/13/11 (H) JUD AT 1:00 PM CAPITOL 120
 04/13/11 (H) Moved CSHB 224(JUD) Out of Committee
 04/13/11 (H) MINUTE(JUD)
 04/14/11 (H) JUD RPT CS(JUD) NT 4DP 3NR
 04/14/11 (H) DP: HOLMES, THOMPSON, LYNN, GATTO
 04/14/11 (H) NR: PRUITT, KELLER, GRUENBERG
 02/23/12 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 02/23/12 (H) Scheduled But Not Heard
 02/27/12 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 02/27/12 (H) Moved CSHB 224(FIN) Out of Committee
 02/27/12 (H) MINUTE(FIN)
 02/29/12 (H) FIN RPT CS(FIN) NT 9DP 1AM
 02/29/12 (H) DP: FAIRCLOUGH, T.WILSON, GUTTENBERG,
 COSTELLO, EDGMON, DOOGAN, JOULE,
 STOLTZE,
 02/29/12 (H) THOMAS
 02/29/12 (H) AM: GARA
 03/12/12 (H) TRANSMITTED TO (S)
 03/12/12 (H) VERSION: CSHB 224(FIN) AM
 03/14/12 (S) READ THE FIRST TIME - REFERRALS
 03/14/12 (S) HSS, JUD
 03/28/12 (S) HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

AMY SALTZMAN, Staff
 Senator Lisle McGuire
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Introduced SCR 23 on behalf of the sponsor.

KAREN GILLIS, speaking on her own behalf
 Anchorage, Alaska

POSITION STATEMENT: Testified in support of SCR 23.

REPRESENTATIVE PAUL SEATON
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 224.

MICHAEL COURTNEY, Deputy Director
 Anchorage Neighborhood Housing Services, Inc.

NeighborWorks Anchorage (NWA)
Anchorage, Alaska

POSITION STATEMENT: Provided testimony related to NeighborWorks.

DEBE MAHONEY, Executive Director
Anchorage Neighborhood Housing Services, Inc.
NeighborWorks Anchorage
Anchorage, Alaska

POSITION STATEMENT: Provided testimony related to NeighborWorks.

ACTION NARRATIVE

[1:33:55 PM](#)

CHAIR BETTYE DAVIS called the Senate Health and Social Services Standing Committee meeting to order at 1:33 p.m. Present at the call to order were Senators Meyer, Egan, Dyson, and Chair Davis.

SCR 23-CONGENITAL CYTOMEGALOVIRUS MONTH

[1:35:17 PM](#)

CHAIR DAVIS announced that the first bill before the committee would be SCR 23, which would designate June 2012 as Congenital Cytomegalovirus Awareness Month.

SENATOR EGAN stated that SCR 23, version A, was the bill before the committee.

AMY SALTZMAN, staff to Senator Lisle McGuire, presented SCR 23 on behalf of the sponsor. She read from the following sponsor statement:

The issue of Congenital Cytomegalovirus (CMV) was brought to Senator McGuire by one of her constituents. CMV is a common and serious congenital infection in the United States with 1 in every 50 children born with congenital CMV. Contraction of the disease at birth can lead to permanent health conditions, including cerebral palsy, hearing and vision loss, mental disability, ADHD, autism, and seizures, and in rare cases, death.

CMV is most dangerous for unborn babies whose mothers become infected with the disease during pregnancy and children or adults whose immune systems have been weakened by disease or drug treatment. With pregnant woman as the number one population at risk, the

American College of Obstetricians and Gynecologists and the Centers for Disease Control and Prevention recommend that OB/GYN's counsel women on basic prevention measures to guard against CMV infection. In a 2008 study, it showed that only 14 percent of women in the United States have ever heard of CMV.

CMV is 100 percent preventable with behavioral interventions, such as frequent hand washing with soap and water after contact with diapers or oral secretions, not kissing young children on the mouth, and not sharing food, towels, or utensils with young children. CMV is found in bodily fluids, including urine, saliva, blood, mucus, and tears. The incidence of children born with congenital CMV can be greatly reduced with public education and awareness.

In 2011, June was designated as National Congenital CMV Awareness Month. This concurrent resolution would support that concept and bring awareness to the horrible effect CMV can have on Alaskan children.

[1:37:36 PM](#)

CHAIR DAVIS opened public testimony.

KAREN GILLIS, speaking on her own behalf, testified in support of SCR 23. She shared a personal experience of having a child with CMV. She related that many parents do not know about CMV or how to avoid contracting it during pregnancy. CMV is the leading cause of birth defects in the United States. She shared statistics about the numbers of children affected by CMV.

MS. GILLIS spoke of the expense of raising CMV children. She spoke of her role as an advocate of Stop CMV. She continued to share facts related to CMV and suggested solutions, such as a vaccine. She concluded that her goal was to reduce the cost and suffering from CMV and prevent CMV in others.

[1:48:14 PM](#)

SENATOR DYSON thanked Ms. Gillis for her work. He asked if there was any way to detect if a would-be mother is carrying CMV before she becomes pregnant.

MS. GILLIS replied that a woman can be tested for CMV antibodies before and during pregnancy. She explained that CMV is similar to chickenpox, except that there are four strains or levels of CMV. If a person has ever had CMV, there are antibodies present

in their system. If a person has contracted one strain of CMV, there is still a risk of contracting the other strains. She related that there are in utero treatments, as well as treatments after birth, both of which can reduce the amount of virus in the baby's system.

[1:51:11 PM](#)

SENATOR DYSON asked if a pre-pregnant woman is tested and is found to have the virus, whether there is a treatment which would rid of her of the virus.

MS. GILLIS replied that after a woman builds up antibodies to the virus, she will always have those antibodies in her system. If she contracts the most common strain of CMV during her pregnancy, she already has antibodies to protect the unborn child. She related that, in her case, she did not have the antibodies because she had not contracted CMV prior to pregnancy. She said she contracted CMV during her first trimester, which is a very critical time of brain development for the child. She shared that her child shows a lot of damage as a result.

SENATOR DYSON restated the question to ask if a would-be mother identified with CMV, with or without the antibodies, can be cured of the virus.

MS. GILLIS replied if the woman has active CMV, and her tests show she carries antibodies, her child will not be affected by the virus; however, the child will be born with CMV.

SENATOR DYSON asked if a woman's immunity can be increased before or during pregnancy.

MS. GILLIS noted that her organization does not want to see all women tested for CMV. She explained that it is most important to understand if there is an active infection.

SENATOR DYSON said he was surprised at the suggestion that women not be tested. He asked for data about how the virus is contracted.

MS. GILLIS replied that the highest risk group for CMV is pregnant women who have not previously contracted the virus and who work in day care centers or have children who are in day care.

[1:56:17 PM](#)

CHAIR DAVIS closed public testimony.

CHAIR DAVIS moved to adopt Amendment 1.

A M E N D M E N T 1

27-LS1334\A.2

OFFERED IN THE SENATE
TO: SCR 23

BY SENATOR MCGUIRE

Page 1, line 1:
Delete "March"
Insert "June"

Page 2, line 8
Delete "March"
Insert "June"

CHAIR DAVIS announced that without objection, Amendment 1 was adopted.

SENATOR DYSON suggested having the Division of Public Health answer questions about CMV and what Alaska should be doing for prevention and publishing that information. He also suggested finding out what other states do.

CHAIR DAVIS agreed.

SENATOR EGAN moved to report SCR 23, version A as amended, with individual recommendations and no fiscal note. There being no objection, CSSCR 23(HSS) was reported from the Senate Health and Social Services Committee.

HB 224-SALES OF NICOTINE PRODUCTS TO MINOR

CHAIR DAVIS announced the consideration of HB 224.

[1:59:31 PM](#)

SENATOR EGAN noted that CSHB 224(FIN)am was before the committee.

[2:00:38 PM](#)

REPRESENTATIVE PAUL SEATON, sponsor of HB 224, introduced the bill. He related that HB 224 addresses the problem that it is not illegal to sell or give nicotine to minors in Alaska. If a tobacco product is regulated by the Food and Drug

Administration, it would be illegal to sell or give it to a minor; however, nicotine, itself is not a regulated product. He showed examples of homeopathic nicotine medicines and various tobacco cessation products that can be purchased by, or given to, minors. He stated that these products can cause nicotine addiction.

REPRESENTATIVE SEATON explained that the bill states that it is illegal for a person to give or sell nicotine to a minor, unless the person is a health care professional, a parent, or a legal guardian. The bill is crafted so that it does not impact business licenses. The attempt is to keep these products from being introduced to, and used in, Alaska. An added provision in the bill is that employers must advise their employees not to sell or give nicotine products to a minor, otherwise employers could be liable, as well.

2:05:03 PM

SENATOR MEYER opined that HB 224 was a good bill. He voiced a concern about holding employers responsible for informing their employees not to sell these products to minors.

REPRESENTATIVE SEATON replied that the Department of Health and Social Services would include instructions to employers in tobacco regulations. He added that the bill is written that employers must "advise" their employees. There is no training of employees required. He said Legislative Legal suggested incorporating the information into hiring documents.

SENATOR MEYER asked if the nicotine products Representative Seaton showed were currently sold in Alaska.

REPRESENTATIVE SEATON said they were not available in Alaska. He noted that he obtained the products in Washington or Oregon.

SENATOR MEYER inquired what would happen if a person bought one of the products on-line.

REPRESENTATIVE SEATON said the bill does not address on-line purchases.

SENATOR DAVIS asked if the bill was referred to another committee. She noted it had a zero fiscal note.

SENATOR MEYER said the bill goes to the Senate Judiciary Committee next.

[2:10:17 PM](#)

CHAIR DAVIS stated her intent to move the bill.

SENATOR EGAN moved to report CSHB 224(FIN)am, version X.A from committee with individual recommendations and the attached fiscal notes. There being no objection, CSHB 224(FIN)am was reported from the Senate Health and Social Services Standing Committee.

Presentation: NeighborWorks Anchorage

CHAIR DAVIS announced the committee would hear a presentation by NeighborWorks of Anchorage.

[2:12:57 PM](#)

MICHAEL COURTNEY, Deputy Director, Anchorage Neighborhood Housing Services, Inc. dba NeighborWorks Anchorage (NWA), provided testimony related to NeighborWorks. He explained that NWA develops and provides housing opportunities to families of modest means. NWA owns 950 units of affordable apartments at nine locations throughout Anchorage, and manages a number of special needs properties for other not-for-profit organizations.

He noted that NWA has a reputation for quality management and customer service. NWA offers first-time homebuyer and down payment assistance programs in partnership with the Municipality of Anchorage and AHFC, and provided opportunities to more than 1,100 moderate income homebuyers since 1997.

He reported that NWA's delinquency rate on mortgages is lower than the national rate of 7.97 percent, and slightly less than the state's delinquency rate of 4.5 percent. NWA offers leadership development classes, which are well attended. He listed leadership development subjects that are offered by NWA. He said NWA also administers minor repair grant programs for Anchorage and the state, which help to allow seniors to remain in their homes as they age by providing accessibility improvements. NWA also offers a minor repair program to assist families of modest means.

He spoke of two development projects, the Roosevelt and Connolly Square apartments. The Roosevelt is designed to serve individuals with disabilities and Connolly Square is a 20-unit complex for seniors over 62 years of age. Both complexes are funded by the Department of Housing and Urban Development (HUD) and feature rental assistance.

He discussed a three-pronged approach to addressing homelessness. NWA is a member of Beyond Shelter Group, a consortium of housing and service providers that work closely together to assist homeless and hard-to-house families. Partners include the United Way, Anchorage School District, Catholic Social Services, The Brother Francis Shelter, Salvation Army, AWAKE, and Christian Health Associates. He shared statistics about how many receive housing assistance and listed programs that work together on affordable housing.

MR. CORTNEY discussed Lousac Sogn, a housing complex for homeless persons. He emphasized that the message to the community is that "home matters". He called affordable housing an economic engine that creates jobs, and he described the number of jobs created by NWA. He explained how affordable housing leads to healthier families and he shared statistics about children's health. He concluded that affordable housing is in short supply and NWA is dedicated to providing safe, quality affordable housing.

2:19:02 PM

SENATOR DYSON provided a real estate report regarding Anchorage. He said there are about one-third as many houses on the market compared to previous years, indicating that people are buying again. He noted that \$250,000 is the threshold for affordable housing. There is a significant problem with obtaining financing. People are less likely to commute into Anchorage due to higher fuel costs. He reported that it would be 14 to 16 months before new construction would increase.

SENATOR DYSON suggested that there is a movement to herd people into smaller, highly condensed areas, rather than providing space around individuals. He asked if NWA has that political agenda.

DEBE MAHONEY, Executive Director, Anchorage Neighborhood Housing Services, Inc. dba NeighborWorks Anchorage, provided testimony related to NeighborWorks. She addressed Senator Dyson's question. She referred to a study by the Municipality of Anchorage which looked at housing density. She related that when NWA goes into a neighborhood to look at a potential project, they find that the neighbors don't want density. However, financially, density makes more sense. She opined that there has to be a compromise between those two issues.

She spoke of a piece of property where NWA decided to develop fewer units than the land use allows in order to provide a

transition between single family houses and the condominium unit. The Roosevelt has 10 units and Connolly Square has 20 units; both are small projects designed for the use of a car. NWA attempts to balance cost with what the neighborhoods want.

[2:24:14 PM](#)

SENATOR DYSON saw a correlation between subsidized housing and social problems. He applauded the tact NeighborWorks was taking.

CHAIR DAVIS thanked the presenters. She asked about future projects.

MS. MAHONEY replied that NWA has received Neighborhood Stabilization Funds and has purchased property for future development of affordable housing for apartment-style family housing or senior housing.

CHAIR DAVIS voiced appreciation for NWA's collaboration with other entities. She said she has heard good things about NWA with a few exceptions.

MS. MAHONEY requested that any problems be reported to NWA.

[2:28:46 PM](#)

SENATOR EGAN noted a budget request for about \$1.7 million. He asked if it was in the Department of Administration's budget request.

MS. MAHONEY said the request was made through the Senate side. She explained that it was costly due to complicated roofing repairs, the need for a new elevator, and the downtown location.

SENATOR EGAN clarified that he just wanted to be sure the request was included the budget.

SENATOR DYSON asked if the request was included.

MS. MAHONEY replied that they had been told the request was in the budget.

[2:30:58 PM](#)

There being no further business to come before the committee, Chair Davis adjourned the Senate Health and Social Services Standing Committee at 2:30 p.m.