

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

April 11, 2013

8:07 a.m.

**MEMBERS PRESENT**

Senator Mike Dunleavy, Chair  
Senator Peter Micciche, Vice Chair  
Senator Donald Olson  
Senator Bert Stedman

**MEMBERS ABSENT**

Senator Johnny Ellis

**COMMITTEE CALENDAR**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 50(FIN)

"An Act authorizing the Alaska Housing Finance Corporation to allow certain commercial uses in a multi-unit residential housing development owned or financed by the corporation and limiting the Alcoholic Beverage Control Board's issuance of certain licenses to premises in the residential housing development."

- MOVED CSHB 50(FIN) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 125(L&C) AM

"An Act prohibiting a health care insurer from denying coverage for an additional limited quantity of prescription topical eye medication under certain circumstances."

- MOVED CSHB 125(L&C) AM OUT OF COMMITTEE

HOUSE BILL NO. 147

"An Act extending the reporting date for and the termination date of the Comprehensive Autism Early Diagnosis and Treatment Task Force; and providing for an effective date."

- MOVED HB 147 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 50

SHORT TITLE: MULTI-UNIT HOUSING: COMMERCIAL USE

SPONSOR(s): REPRESENTATIVE(s) COSTELLO

01/16/13 (H) PREFILE RELEASED 1/11/13  
 01/16/13 (H) READ THE FIRST TIME - REFERRALS  
 01/16/13 (H) L&C, FIN  
 02/18/13 (H) BILL REPRINTED 2/18/13  
 02/27/13 (H) L&C AT 3:15 PM BARNES 124  
 02/27/13 (H) Moved Out of Committee  
 02/27/13 (H) MINUTE(L&C)  
 03/01/13 (H) L&C RPT 3DP 1AM  
 03/01/13 (H) DP: HERRON, JOSEPHSON, REINBOLD  
 03/01/13 (H) AM: SADDLER  
 03/14/13 (H) FIN AT 1:30 PM HOUSE FINANCE 519  
 03/14/13 (H) Moved CSHB 50(FIN) Out of Committee  
 03/14/13 (H) MINUTE(FIN)  
 03/15/13 (H) FIN RPT CS(FIN) 9DP 1NR 1AM  
 03/15/13 (H) DP: MUNOZ, EDGMON, GARA, HOLMES,  
 THOMPSON, NEUMAN, COSTELLO, STOLTZE,  
 03/15/13 (H) AUSTERMAN  
 03/15/13 (H) NR: T.WILSON  
 03/15/13 (H) AM: KAWASAKI  
 03/20/13 (H) TRANSMITTED TO (S)  
 03/20/13 (H) VERSION: CSHB 50(FIN)  
 03/21/13 (S) READ THE FIRST TIME - REFERRALS  
 03/21/13 (S) L&C, FIN  
 03/28/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)  
 03/28/13 (S) -- Meeting Postponed until 4/1/13 4:30  
 p.m. --  
 04/01/13 (S) L&C AT 4:30 PM BELTZ 105 (TSBldg)  
 04/01/13 (S) -- Rescheduled from 3/28/13 --  
 04/02/13 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)  
 04/02/13 (S) -- MEETING CANCELED --  
 04/03/13 (S) L&C AT 5:00 PM BELTZ 105 (TSBldg)  
 04/03/13 (S) Scheduled But Not Heard  
 04/09/13 (S) L&C AT 5:30 PM BELTZ 105 (TSBldg)  
 04/09/13 (S) Heard & Held  
 04/09/13 (S) MINUTE(L&C)  
 04/10/13 (S) L&C AT 4:30 PM BELTZ 105 (TSBldg)  
 04/10/13 (S) -- Meeting Postponed to 4/11/13 8:00  
 a.m.--  
 04/11/13 (S) L&C AT 8:00 AM BELTZ 105 (TSBldg)

BILL: HB 125

SHORT TITLE: TOPICAL EYE MEDS PRESCRIPTION REFILLS

SPONSOR(s): REPRESENTATIVE(s) HOLMES

02/18/13 (H) READ THE FIRST TIME - REFERRALS  
 02/18/13 (H) L&C

03/27/13 (H) L&C AT 3:15 PM BARNES 124  
 03/27/13 (H) Heard & Held  
 03/27/13 (H) MINUTE(L&C)  
 04/01/13 (H) L&C AT 3:15 PM BARNES 124  
 04/01/13 (H) Moved CSHB 125(L&C) Out of Committee  
 04/01/13 (H) MINUTE(L&C)  
 04/02/13 (H) L&C RPT CS(L&C) 3DP 1NR  
 04/02/13 (H) DP: HERRON, SADDLER, OLSON  
 04/02/13 (H) NR: REINBOLD  
 04/05/13 (H) TRANSMITTED TO (S)  
 04/05/13 (H) VERSION: CSHB 125(L&C) AM  
 04/06/13 (S) READ THE FIRST TIME - REFERRALS  
 04/06/13 (S) L&C  
 04/09/13 (S) L&C AT 5:30 PM BELTZ 105 (TSBldg)  
 04/09/13 (S) Heard & Held  
 04/09/13 (S) MINUTE(L&C)  
 04/10/13 (S) L&C AT 4:30 PM BELTZ 105 (TSBldg)  
 04/10/13 (S) -- Meeting Postponed to 4/11/13 8:00  
 a.m.--  
 04/11/13 (S) L&C AT 8:00 AM BELTZ 105 (TSBldg)

BILL: HB 147

SHORT TITLE: EXTEND AUTISM EARLY DIAGNOSIS TASK FORCE

SPONSOR(s): REPRESENTATIVE(s) SADDLER

03/01/13 (H) READ THE FIRST TIME - REFERRALS  
 03/01/13 (H) HSS  
 04/06/13 (H) HSS RPT 6DP 1NR  
 04/06/13 (H) DP: SEATON, PRUITT, KELLER, NAGEAK,  
 TARR, HIGGINS  
 04/06/13 (H) NR: REINBOLD  
 04/06/13 (H) HSS AT 9:00 AM CAPITOL 106  
 04/06/13 (H) Moved Out of Committee  
 04/06/13 (H) MINUTE(HSS)  
 04/08/13 (H) TRANSMITTED TO (S)  
 04/08/13 (H) VERSION: HB 147  
 04/09/13 (S) READ THE FIRST TIME - REFERRALS  
 04/09/13 (S) L&C  
 04/10/13 (S) L&C AT 4:30 PM BELTZ 105 (TSBldg)  
 04/10/13 (S) -- Meeting Postponed to 4/11/13 8:00  
 a.m.--  
 04/11/13 (S) L&C AT 8:00 AM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

JOSHUA WALTON, Staff  
 Representative Mia Costello

Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information related to HB 50 on behalf of the sponsor.

STACY SHUBERT, Director of Government Relations  
Alaska Housing Finance Corporation (AHFC)  
Anchorage, AK

**POSITION STATEMENT:** Offered to answer questions related to HB 50.

CHRISSY MCNALLY, Staff  
Representative Lindsey Holmes  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided information related to HB 125 on behalf of the sponsor.

MICHAEL LEVITT  
American Academy of Ophthalmology

**POSITION STATEMENT:** Provided supporting information related to HB 125.

REPRESENTATIVE DAN SADDLER  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 147.

#### **ACTION NARRATIVE**

[8:07:27 AM](#)

**CHAIR MIKE DUNLEAVY** called the Senate Labor and Commerce Standing Committee meeting to order at 8:07 a.m. Present at the call to order were Senators Stedman, Micciche, Olson, and Chair Dunleavy.

#### **HB 50-MULTI-UNIT HOUSING: COMMERCIAL USE**

[8:09:00 AM](#)

**CHAIR DUNLEAVY** announced the consideration of HB 50. "An Act authorizing the Alaska Housing Finance Corporation to allow certain commercial uses in a multi-unit residential housing development owned or financed by the corporation and limiting the Alcoholic Beverage Control Board's issuance of certain licenses to premises in the residential housing development." He noted this was the second hearing. [CSHB 50(FIN) was before the committee.]

[8:09:12 AM](#)

JOSHUA WALTON, Staff, Representative Mia Costello, sponsor of HB 50, summarized the intent of the bill. He explained that it gives the Alaska Housing Finance Corporation (AHFC) flexibility to authorize certain commercial uses in multi-unit residential housing properties owned or leased by AHFC. The bill specifically excludes particular businesses that are not deemed family friendly. He offered to answer questions.

CHAIR DUNLEAVY noted the individuals who were available to answer questions.

[8:10:48 AM](#)

STACY SHUBERT, Director of Government Relations, Alaska Housing Finance Corporation (AHFC), introduced herself and offered to answer questions.

CHAIR DUNLEAVY found no public testimony and closed it.

[8:11:33 AM](#)

SENATOR MICCICHE said he was comfortable with the bill and thought it would help make AHFC properties more marketable and productive.

CHAIR DUNLEAVY found no further questions or comments and solicited a motion.

[8:11:47 AM](#)

SENATOR MICCICHE moved to report CSHB 50, 28-LS0155\O, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection CSHB 50(FIN) moved from the Senate Labor and Commerce Standing Committee.

[8:12:05 AM](#)

At ease

**HB 125-TOPICAL EYE MEDS PRESCRIPTION REFILLS**

[8:13:18 AM](#)

CHAIR DUNLEAVY reconvened the meeting and announced the consideration of HB 125. "An Act prohibiting a health care insurer from denying coverage for an additional limited quantity of prescription topical eye medication under certain

circumstances." He noted this was the second hearing. [CSHB 125(L&C) AM was before the committee.]

8:13:46 AM

CHRISSY MCNALLY, Staff, Representative Lindsey Holmes, sponsor of HB 125, summarized the bill. She said it will allow individuals who require prescription eye medications for chronic diseases to receive refills before the prescribed renewal date. She explained that prescription eye drops are currently measured the same as prescription pills; one drop equals one dose. Because drops are sometimes dispensed unevenly, an individual may run out of their prescription earlier than their insurance provider will pay for a refill. The bill alleviates that problem by requiring health insurance providers to allow refills of eye drop prescriptions prior to the last day of the dosage period, as long as the refill is approved by the doctor. Ophthalmologists, optometrists support the bill and insurance providers have no objection to it.

8:14:45 AM

SENATOR OLSON asked if she was familiar with scheduled drugs.

MS. MCNALLY said no.

CHAIR DUNLEAVY suggested that Mr. Levitt could address the question.

8:15:10 AM

MICHAEL LEVITT, American Academy of Ophthalmology, introduced himself.

SENATOR OLSON asked if he was an ophthalmologist and familiar with the schedule of drugs.

MS. LEVITT said he was not an ophthalmologist, but he was familiar with the schedule of drugs.

SENATOR OLSON asked where prescription eye drops fell on the schedule of controlled substances.

MR. LEVITT acknowledged that some prescription eye drops fall in the controlled substance category, but that isn't the typical practice. When that category is prescribed, it's postoperatively for a limited period of time. He said the bill is intended for things like glaucoma and other chronic diseases. The regular practice in ophthalmology does not require the chronic use of pain killers.

8:16:48 AM

SENATOR OLSON asked if the bill would apply to a prescription for a corneal anesthetic.

MR. LEVITT said yes, but a person typically would not be on that sort of medication for more than 30 days.

SENATOR OLSON asked what kind of controls or safeguards there would be for somebody who has glaucoma.

MR. LEVITT explained the treatment for glaucoma. Drops are prescribed to regulate the pressure in the eye and the patient is asked to come back for routine checkups to see if the drug is working. If the drops don't work, there are more invasive interventions with lasers or scalpels.

SENATOR OLSON said his question is how a person can continue to get refills if the pressure isn't under good control.

MR. LEVITT said there are hundreds of different types of glaucoma, and the patient normally wouldn't go blind for years. If the pressure rises gradually, the ophthalmologist will adjust the medications.

SENATOR OLSON asked about narrow angle glaucoma.

MR. LEVITT said there would be immediate intervention for that serious and acute glaucoma.

SENATOR OLSON asked how many other states have this.

MS. MCNALLY said four other states have a similar law: Connecticut, Maryland, New Mexico, and New York.

8:21:57 AM

CHAIR DUNLEAVY found no public testimony and closed it. He solicited a motion.

8:22:04 AM

SENATOR MICCICHE moved to report CSHB 125, 28-LS0431\O.A, from committee with individual recommendations and attached fiscal note(s).

8:22:22 AM

SENATOR STEDMAN objected to question the version before the committee.

[8:22:48 AM](#)

At ease

[8:23:15 AM](#)

CHAIR DUNLEAVY reconvened the meeting.

SENATOR STEDMAN withdrew his objection.

SENATOR OLSON commented that having practiced medicine in Bush Alaska he fully appreciates how serious it can be to run out of medication. He said he stands in full support of the bill.

[8:23:56 AM](#)

CHAIR DUNLEAVY announced that without objection, CSHB 125(L&C) AM moved from the Senate Labor and Commerce Standing Committee.

[8:24:10 AM](#)

At ease

**HB 147-EXTEND AUTISM EARLY DIAGNOSIS TASK FORCE**

[8:25:49 AM](#)

CHAIR DUNLEAVY announced the consideration of HB 147. "An Act extending the reporting date for and the termination date of the Comprehensive Autism Early Diagnosis and Treatment Task Force; and providing for an effective date." He noted that this was the first hearing.

[8:26:14 AM](#)

REPRESENTATIVE DAN SADDLER, sponsor of HB 147, said the purpose of the bill is to extend the reporting date of the Comprehensive Autism Early Diagnosis and Treatment Task Force to January 15, 2015. He explained that autism is a neural behavioral disorder characterized by diminished communication and social skills, which often manifest early in life. Although it is incurable, it is treatable. Studies show that early treatment can improve the life prospects of those with autism, save the state money, and keep families together.

He explained that the nine-member task force was established to make recommendations to the legislature for the development of a statewide plan to support early diagnosis and treatment of autism. They were charged with making recommendations for draft legislation to provide coverage to the greatest number of Alaskans, for evaluating the fiscal effects of the proposals,

and for analyzing how the Patient Protection and Affordable Care Act will affect the recommendations.

[8:27:48 AM](#)

SENATOR OLSON asked what the task force accomplished in the last year.

REPRESENTATIVE SADDLER explained that the task force hasn't accomplished anything other than initial organizational work because the members weren't approved by both bodies until November 2012.

SENATOR MICCICHE remarked that this is a group of very active individuals who have been working to help families struggling with autism long before the task force was formed. He said it's safe to say that they've already accomplished quite a lot good.

SENATOR STEDMAN noted that the expiration had passed.

REPRESENTATIVE SADDLER agreed and noted the retroactivity clause.

[8:29:48 AM](#)

SENATOR STEDMAN encouraged the sponsor to engage the leadership team to ensure that the bill doesn't get held up the last day of the session.

REPRESENTATIVE SADDLER acknowledged the suggestion.

[8:30:20 AM](#)

CHAIR DUNLEAVY found no public testimony and asked for a motion.

[8:30:28 AM](#)

SENATOR MICCICHE moved to report HB 147, 28-LS0438\A, from committee with individual recommendations and attached fiscal note(s).

CHAIR DUNLEAVY announced that without objection, HB 147 moved from the Senate Labor and Commerce Standing Committee.

[8:30:47 AM](#)

There being no further business to come before the committee, Chair Dunleavy adjourned the Senate Labor and Commerce Standing Committee meeting at 8:30 a.m.