

ALASKA STATE LEGISLATURE
HOUSE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 6, 2018

3:09 p.m.

MEMBERS PRESENT

Representative Bryce Edgmon, Vice Chair
Representative Sam Kito
Representative Geran Tarr
Representative David Eastman
Representative Jennifer Johnston
Representative Matt Claman (alternate)
Representative Dan Saddler (alternate)

MEMBERS ABSENT

Representative Ivy Spohnholz, Chair
Representative Colleen Sullivan-Leonard

COMMITTEE CALENDAR

HOUSE BILL NO. 351

"An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to adjudication of minor delinquency and the deoxyribonucleic acid identification registration system; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; repealing a requirement for administrative revocation of a minor's driver's license, permit, privilege to drive, or privilege to obtain a license for consumption or possession of alcohol or drugs; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 290

"An Act relating to the membership of the Alaska Criminal Justice Commission; and providing for an effective date."

- MOVED HB 290 OUT OF COMMITTEE

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 268

"An Act relating to the prescription of opioids; relating to the Department of Health and Social Services; relating to the

practice of dentistry; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; and relating to the practice of optometry."

- MOVED CSSSHB 268(HSS) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 351

SHORT TITLE: JUVENILES: JUSTICE, FACILITES, TREATMENT

SPONSOR(S): REPRESENTATIVE(S) SPOHNHOLZ

02/16/18 (H) READ THE FIRST TIME - REFERRALS
02/16/18 (H) HSS, JUD
03/06/18 (H) HSS AT 3:00 PM CAPITOL 106

BILL: HB 290

SHORT TITLE: CRIMINAL JUSTICE COMMISSION: MEMBERSHIP

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/19/18 (H) READ THE FIRST TIME - REFERRALS
01/19/18 (H) HSS, JUD
03/01/18 (H) HSS AT 3:00 PM CAPITOL 106
03/01/18 (H) Heard & Held
03/01/18 (H) MINUTE(HSS)
03/06/18 (H) HSS AT 3:00 PM CAPITOL 106

BILL: HB 268

SHORT TITLE: OPIOID PRESCRIPTION INFORMATION

SPONSOR(S): GARA

01/12/18 (H) PREFILE RELEASED 1/12/18
01/16/18 (H) READ THE FIRST TIME - REFERRALS
01/16/18 (H) HSS, L&C
01/22/18 (H) SPONSOR SUBSTITUTE INTRODUCED
01/22/18 (H) READ THE FIRST TIME - REFERRALS
01/22/18 (H) HSS, FIN
01/30/18 (H) HSS AT 3:00 PM CAPITOL 106
01/30/18 (H) Heard & Held
01/30/18 (H) MINUTE(HSS)
02/15/18 (H) HSS AT 3:00 PM CAPITOL 106
02/15/18 (H) -- MEETING CANCELED --
02/22/18 (H) HSS AT 3:00 PM CAPITOL 106
02/22/18 (H) Heard & Held
02/22/18 (H) MINUTE(HSS)
02/27/18 (H) HSS AT 3:00 PM CAPITOL 106

02/27/18 (H) Scheduled but Not Heard
03/06/18 (H) HSS AT 3:00 PM CAPITOL 106

WITNESS REGISTER

JUDY JESSEN, Staff
Representative Ivy Spohnholz
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 351 on behalf of the bill sponsor, Representative Spohnholz.

MATT DAVIDSON, Social Services Program Officer
Division of Juvenile Justice
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Testified and answered questions during discussion of HB 351.

VALERIE DAVIDSON, Commissioner
Office of the Commissioner
Department of Health and Social Services (DHSS)
Juneau, Alaska

POSITION STATEMENT: Testified and answered questions during discussion of HB 290.

CLAIRE GROSS, Staff
Representative Les Gara
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 268 on behalf of the bill sponsor, Representative Gara.

CLAIRE RADFORD, Attorney
Legislative Legal Counsel
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during discussion of HB 268.

SARA CHAMBERS, Deputy Director
Juneau Office
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community & Economic Development
Juneau, Alaska

POSITION STATEMENT: Answered questions during discussion of HB 268.

ACTION NARRATIVE

[3:09:43 PM](#)

REPRESENTATIVE TARR called the House Health and Social Services Standing Committee meeting to order at 3:09 p.m. Representatives Tarr, Edgmon, Kito, Claman (alternate), Saddler (alternate), Johnston, and Eastman were present at the call to order. [Representative Tarr was the acting chair during the absence of Chair Spohnholz]

HB 351-JUVENILES: JUSTICE, FACILITES, TREATMENT

[3:10:36 PM](#)

REPRESENTATIVE TARR announced that the first order of business would be HOUSE BILL NO. 351, "An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to adjudication of minor delinquency and the deoxyribonucleic acid identification registration system; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; repealing a requirement for administrative revocation of a minor's driver's license, permit, privilege to drive, or privilege to obtain a license for consumption or possession of alcohol or drugs; and providing for an effective date."

[3:11:22 PM](#)

JUDY JESSEN, Staff, Representative Ivy Spohnholz, Alaska State Legislature, paraphrased from the Sponsor Statement [Included in members' packets], which read:

HB 351 is a statutory cleanup bill which updates the terms used to describe the facilities operated by the Division of Juvenile Justice and provides updated definitions for those terms. Current statutes contain references to facilities which DJJ does not operate, and facilities that do not exist in the state of Alaska. The bill also makes a clear distinction between the role of juvenile probation officers and

adult probation officers in places where the difference is unclear. HB 351 also requires staff of juvenile justice to be added to the list of mandatory reporters of child abuse and neglect. These updates are necessary to provide statutory clarity to ensure the Division can manage its facilities effectively throughout the state.

Currently, Alaska Statutes reference places like work camps and juvenile detention homes, which are not recognized or operating in the state of Alaska. HB 351 adds juvenile treatment facility, juvenile detention facility, and temporary secure juvenile holding area as facilities currently being operated by the division and provides clear definitions for each of these terms. Because references to these facilities occur in many places in statute, this bill also touches upon many sections of statute. These changes are necessary to provide the clearest regulation over facilities in existence and operated by the DJJ.

[3:13:16 PM](#)

HB 351 also clarifies the role of juvenile and adult probation officers, first by distinguishing clearly between the two, and second by providing a clear definition for the term juvenile probation officer. These are meaningful changes to provide the best protection for juveniles in the custody of the Division of Juvenile Justice.

Lastly, HB 351 adds DJJ staff to the list of mandatory reporters. It is the Division's objective to engage in the rehabilitation of juvenile offenders. Adding DJJ staff to the list of mandatory reporters provides the best guarantee that when DJJ staff discover cases of child abuse and neglect, those cases are reported, investigated, and resolved for the best interest of the child.

While these technical language updates touch many sections of statute, these language changes do not significantly alter the authority of the Division over juveniles in its care. Rather, these updates protect juveniles by making it clear where juveniles can be placed and clearly defining the authority of DJJ, its staff, and facilities using current and relevant language.

[3:14:25 PM](#)

MS. JESSEN paraphrased from the Sectional Analysis, which read [Included in members' packets] [original punctuation provided]:

Section 1 AS 09.65.255(b): Deals with indemnity of civil liability for the actions of minors in state custody Adds foster home, definition reference for foster home, juvenile treatment facilities, juvenile detention facility, and treatment institution. Adds references for the definitions of juvenile treatment facility and treatment institutions

Section 2 AS 11.41.425(b)(1): Deals with sexual assault in the third degree Adds staff who work in juvenile detention facilities and juvenile treatment facilities to definition of sexual assault in the third degree

Section 3 AS 11.41.425(b)(2): Deals with sexual assault in the third degree Updates the definition of juvenile probation officer.

[3:15:38 PM](#)

REPRESENTATIVE EASTMAN asked in what way Section 2 added to the definition of sexual assault in the third degree, and what was attempted to be accomplished.

[3:15:49 PM](#)

MATT DAVIDSON, Social Services Program Officer, Division of Juvenile Justice, Department of Health and Social Services, explained that, in these sections referring to the sexual abuse of a minor and the sexual assault crimes addressed in AS 11, the terms describing the juvenile staff and facilities already existed, and these were just conforming changes. These staff were not being added and were being provided as a reference to the earlier new definition. He emphasized that, for the purposes of sexual assault in the third or fourth degree, it was a special crime for staff of a juvenile justice facility to engage in sexual behavior with kids in their care.

[3:16:50 PM](#)

REPRESENTATIVE EASTMAN directed attention to Section 24 and asked about the changes to juvenile probation officers that necessitated these conforming changes.

MR. DAVIDSON explained that the actual definition of juvenile probation officers was in Section 24, and that the existing statute, AS 47.12.270, referred to youth counselors, an earlier term for facility staff which described the work of probation officers. He added that this reference and definition had existed for decades. He pointed out that there was only a minor update for the actual work of probation officers in Section 24.

[3:18:08 PM](#)

MS. JESSEN continued her paraphrase from the Sectional Analysis, which read:

Section 4 AS 11.41.427(b)(2): Deals with sexual assault in the 4th degree. Updates definition of juvenile probation officer

[3:18:21 PM](#)

REPRESENTATIVE SADDLER asked if the new definition for the juvenile probation officer position required any additional certification, training, or credentials.

MR. DAVIDSON explained that the probation officers were considered peace officers, although they were not an official part of the peace officer corps and were not sworn officers similar to adult probation officers or police officers. They did attend divisional training and they did meet the requirements to fulfill the role.

REPRESENTATIVE SADDLER asked if the proposed bill made any change to adult probation officers.

MR. DAVIDSON replied that adult probation officers were already cited in statute, and that the proposed bill delineated between adult and juvenile probation officers in the sections that referenced probation officers, to provide clarity.

REPRESENTATIVE SADDLER asked whether, if juvenile probation officer was not specifically delineated, this would be a reference to adult probation officers.

MR. DAVIDSON replied that this had been the attempt, although it was possible that some references had been missed.

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REPRESENTATIVE EASTMAN offered his belief that the definition for juvenile probation officer was specifically asking the department to title these individuals as such.

MR. DAVIDSON stated that the title of juvenile probation officer was for personnel reasons and was attached to the job description in AS 47.12.270.

REPRESENTATIVE EASTMAN asked about the substantive difference between a juvenile probation officer and a juvenile justice officer.

MR. DAVIDSON explained that the two had separate job descriptions, duties, and roles within the department. There was also a pay differential, as well as a difference for experience and requirements, and educational background. He declared that these were different positions and did not replace each other in terms of the roles in the Division of Juvenile Justice. He listed some of the duties of a probation officer.

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MS. JESSEN continued to paraphrase from the sectional analysis Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, and Section 11, which read:

Section 5 AS 11.41.470(3): Deals with crimes by legal guardians Adds employees of juvenile treatment institutions and juvenile and adult probation officers to list of legal guardians

Section 6 AS 11.41.470(5): Deals with crimes against persons committed by a person in a position of authority Adds correctional employee, juvenile facility staff, and staff members of juvenile treatment institutions as people in positions of authority

Section 7 AS 11.41.470: Deals with crimes against persons committed by a person in a position of

authority Adds definitions for juvenile facility staff and treatment institutions

Section 8 AS 11.56.760(a): Deals with orders to submit to DNA testing Clarifies that those who have been "adjudicated delinquent" may have to submit DNA samples

Section 9 AS 11.61.123(e): Deals with Indecent Viewing or Photography Adds treatment institutions and juvenile treatment facilities to list of included facilities. Provides references to definitions of those terms

Section 10 AS 14.07.020(a): deals with providing public education services Includes juvenile detention facilities and juvenile treatment facilities as places where public education must be provided. Provides references to definitions of those terms

Section 11 AS 14.30.186(a): Deals with providing special education Includes treatment institutions, juvenile detention facilities, or juvenile treatment facilities as places where special education must be provided. Adds references to definitions for those terms

[3:25:35 PM](#)

REPRESENTATIVE SADDLER asked for an explanation to the functional effect of the expansion of the definition in Section 10, page 4, line 27 for juvenile education services.

MR. DAVIDSON explained that this section related to the duties of the Department of Education and Early Development to provide education services to youth in the custody of the Division of Juvenile Justice in their facilities. He said that this was updating the references to those facilities, and it was not an expansion. He noted that all the facilities had school district operated schools and he pointed to AS 47.12 for a definition of those facilities. He stated that the intent was to update the references and ensure they were being uniformly referenced across the statute. He said that each of these conforming changes had individually been discussed with the Department of Education and Early Development. He added that there had been discussions regarding special education with the Governor's

Council on Special Education and Disabilities to ensure they were "hitting our references correctly."

[3:27:23 PM](#)

REPRESENTATIVE SADDLER asked for examples of juvenile treatment facilities.

MR. DAVIDSON explained that, for the purposes of the bill, the definition of juvenile treatment facility was referenced in AS 47.12, and included the four Division of Juvenile Justice institutional treatment facilities: McLaughlin Youth Center in Anchorage, the Bethel Youth Facility, the Johnson Youth Center in Juneau, and the Fairbanks Youth Facility. He pointed out that previously some of the terms had not been well defined and there were not any references provided throughout the statute.

[3:28:32 PM](#)

REPRESENTATIVE EASTMAN, referring to page 4, line 27, asked if there was a definition of detention.

MR. DAVIDSON explained that the facilities operated by the Division of Juvenile Justice were referred to as detention homes in the earlier statute, and these terms had been deleted from statute. He stated that this proposed statute did not use this term, as it was a less specific term.

REPRESENTATIVE EASTMAN asked if there were any detention facilities that were not included in the definition for juvenile detention facility or juvenile treatment facility. He asked if, during this transition, there was any chance for someone "to fall through the cracks."

MR. DAVIDSON explained that, as the Department of Education and Early Development was required to provide education services, there was not a chance. He reported that a definition for temporary juvenile holding areas was being added, explaining that these were areas where a youth, who had committed a criminal offense and needed to be detained, was held securely while awaiting transport to a juvenile justice facility. He clarified that there was not an expectation that educational services would be provided at these facilities, as they were most often a "less than six hour hold and were waiting for the trooper to come and transport that youth... "

MR. DAVIDSON, in response to Representative Eastman, explained that the Department of Education and Early Development did provide education services for youthful offenders who were held in Department of Corrections facilities, as they had been tried as adults. He pointed out that this section of the proposed bill was addressing education in coordination with the Department of Health and Social Services, and not with the Department of Corrections.

[3:32:22 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 12, Section 13, Section 14, and Section 15, which read:

Section 12 AS 17.37.070(6): Deals with medical marijuana Includes juvenile treatment facilities as facilities operated by the state which are not required to provide medical marijuana

Section 13 AS 18.20.499(2): Deals with overtime for nurses Adds "juvenile" treatment facilities and treatment institutions to describe facilities operated by Division of Juvenile Justice

Section 14 AS 47.10.141(c): Deals with Runaways and Missing Minors Updates terms used to describe juvenile detention facilities operated by the Division of Juvenile Justice and inappropriate emergency placement for minors.

Section 15 AS 47.10.141(j): Deals with Runaways and Missing Minors Creates new definition for "temporary secure juvenile holding area" where delinquent minors may be kept while awaiting transportation to a juvenile detention facility or pending a court order in AS 47.10.990

REPRESENTATIVE TARR offered her belief that Section 15 offered a new definition for "temporary secure holding area."

[3:33:28 PM](#)

REPRESENTATIVE SADDLER asked for clarification that Section 13 defined a juvenile treatment facility as an area in which overtime for nurses was prohibited.

MR. DAVIDSON replied, "That's my understanding."

REPRESENTATIVE TARR asked if these were salaried state employees that would not otherwise be eligible for overtime.

MR. DAVIDSON replied that some of the salaried staff were overtime eligible.

REPRESENTATIVE SADDLER referenced AS 18.24.400, listing facilities which, under this amendment, would include juvenile treatment facilities and that "a nurse in a health care facility may not be required or coerced to work overtime."

[3:34:49 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 16, Section 17, Section 18, and Section 19, which read:

Section 16 AS 47.10.990(20): Deals with Runaways and Missing Minors Updates the definition used to describe facilities operated by the Division of Juvenile justice for the temporary secure detention of minors.

Section 17 AS 47.12.025(c): Arrest procedure for juveniles Clarifies that the described duties apply to juvenile probation officers, not adult probation officer. Updates language used to describe juvenile facilities and other areas where delinquent minor may be held.

Section 18 AS 47.12.120(b): Deals with the placement of minors who have an adjudication order under AS 47.12.120(b)(1) Updates terms of facilities where minors can be placed

Section 19 AS 47.12.120: Deals with DNA submission for minors Adds a new subsection to clarify that minors 16 or older may be ordered to submit a DNA sample if adjudicated for certain crimes

[3:35:59 PM](#)

REPRESENTATIVE JOHNSTON asked if "16 or older" [in Section 19] was new language, and if so, why was this being added.

MR. DAVIDSON explained that the underlying statute requiring DNA submission for adjudicated delinquents 16 years of age or older already existed in AS 44, and this referred to the delinquency statute to bring "that all together."

REPRESENTATIVE SADDLER asked if there was a category of crimes committed by a juvenile that was not already considered a crime committed by an adult.

MR. DAVIDSON explained that this was "kind of a term of art we use which is the youth that are referred to the division commit delinquent acts that would have been a crime if they were an adult, but they are delinquents rather than criminals." He stated that the crimes requiring DNA samples were crimes of a sexual nature.

REPRESENTATIVE EASTMAN asked about the penalty for a 16-year-old not submitting to a DNA test.

MR. DAVIDSON replied that this was a misdemeanor, as it was part of an adjudication order and the court sentence, and he would research the exact crime.

[3:38:32 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 20 and Section 21, which read:

Section 20 AS 47.12.240(a): Deals with placement of minors after court commits them and before they are convicted Makes conforming and clarifying amendments to the conditions under which a minor may be held in a facility housing adult prisoners and the language used to describe facilities operated by the Division of Juvenile Justice

Section 21 AS 47.12.240(b): Deals with temporary holding of minors while awaiting transport Updates language used to describe conditions under which a minor may be held in a facility housing adult prisoners and the language used to describe facilities operated by the Division of Juvenile Justice

REPRESENTATIVE TARR addressed an amendment [Included in members' packets] which would amend Section 21.

[3:39:58 PM](#)

MS. JESSEN paraphrased from Section 22 and Section 23, which read:

Section 22 AS 47.12.245(b): Deals with parole officers arresting minors Clarifies that the authority to arrest a minor rests with juvenile, not adult, probation officers.

Section 23 AS 47.12.250(a): Deals with temporary detention/ detention hearings Clarifies that the authority to detain a minor rests with "juvenile," not adult, probations offices. Adds "temporary secure juvenile holding areas" to the list of approved placed to hold juveniles

[3:40:18 PM](#)

REPRESENTATIVE SADDLER shared testimony from another committee which reported that a Village Public Safety Officer (VPSO) must restrain a person after an arrest. He asked if the VPSO could secure a juvenile in a place not described as a secure juvenile holding area, such as the VPSOs home or office, and, if so, would this practice come into conflict with Section 23.

MR. DAVIDSON explained that the temporary juvenile holding area was in compliance with the federal Juvenile Delinquency and Prevention Act. He reported that the Division of Juvenile Justice had agreements with dozens of these temporary areas and these were monitored and inspected every third year. He acknowledged that, upon occasion, it was necessary to restrain adults and juveniles in areas that were not part of the definition.

[3:42:07 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 24, which read:

Section 24 AS 47.12.270: Deals with juvenile probation officers Updates the title and duties of juvenile probation officers.

[3:42:18 PM](#)

REPRESENTATIVE EASTMAN asked in which situations the juvenile probation officer would need to exercise the powers of a peace officer with respect to the service of process.

MR. DAVIDSON replied that he was not sure of the role for a peace officer, although they did have the ability to arrest minors if they had failed to meet conditions of conduct imposed by the court.

REPRESENTATIVE EASTMAN directed attention to [page 14] line 19 and asked whether the addition for "service of process" had been "copied over from another pre-existing statute" or was it now a power of a peace officer being given to a juvenile probation officer.

MR. DAVIDSON deferred to the experts within the division for a more thorough answer to the powers and the intent. He offered his belief that it was being held over from the section which was being repealed and re-enacted.

[3:44:24 PM](#)

REPRESENTATIVE SADDLER directed attention to page 13 [line 25] which specified that a juvenile probation officer may arrest a minor under certain conditions, and he asked if an adult probation officer could arrest a juvenile under these conditions.

MR. DAVIDSON opined that, for the purpose of the delinquency statute, this was being specific to the roles of juvenile probation officers. He pointed to the citizen arrest provision, which allowed that any peace officer or citizen witnessing a crime had that power. He noted that this was in a different statute and was not being addressed here. He reported that these sections in AS 47.12 referred to the powers of the juvenile probation officers employed by the Division of Juvenile Justice and was not intended to preclude other powers.

REPRESENTATIVE SADDLER stated that he wanted to make sure that something necessary was not being excluded during this clarification process. He asked if an adult probation officer could only have the authority to arrest a juvenile under the citizen arrest basis. He declared that the proposed bill specified that only a juvenile probation officer could make the arrest.

MR. DAVIDSON opined that, as it was generally outside the role of an adult probation officer to monitor the conditions under which a juvenile had been released from the Division of Juvenile Justice, they would not be privy to the information necessary to conduct an arrest.

[3:47:29 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 25, which read:

Section 25 AS 47.12.310(d): Deals with notifying victims of crimes Clarifies that the department has a duty to notify victims when a minor is released from any court ordered placement under AS 47.12.120(b)(1)

REPRESENTATIVE EASTMAN asked if this expanded or maintained the status quo.

MR. DAVIDSON replied that this was an expansion of the notification as youth were placed in secured places in other non-Division of Juvenile Justice on rare occasions.

[3:48:26 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 26, Section 27, Section 28, Section 29, Section 30, and Section 31, which read:

Section 26 AS 47.12.315(c): Public disclosure of information in department records relating to certain minors Corrects language authorizing the department to disclose confidential information related to the offense when a minor has received an adjudication, rather than the offense the minor "alleged to have committed."

Section 27 AS 47.12.990(7): Deals with definitions and institutions Amends the definition of juvenile detention facility

Section 28 AS 47.12.990(12): Deals with definitions and institutions Amends the definition of minor

Section 29 AS 47.12.990: Deals with definitions of institutions Creates new definitions for juvenile probation officer, juvenile treatment facility,

residential child care facility, temporary secure juvenile holding area

Section 30 AS 47.14.010: Deals with the powers of DHSS over DJJ Updates language to describe juvenile facilities operated by the department

Section 31 As 47.14.020: Deals with the duties of the department related to the custody of minors Updates the language used to describe juvenile facilities operated by the department

REPRESENTATIVE TARR asked if [Sections 30 and 31] just addressed deletion of the homes and the juvenile work camps, and updated the language.

MS. JESSEN expressed her agreement.

[3:49:55 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 32, which read:

Section 32 AS 47.14.040: Deals with the authority to maintain and operate facilities Updates the language used to describe places the department can operate juvenile facilities to reflect the diversity of Alaskan communities and entities, such as the need for airports that operate "temporary secure juvenile holding areas."

REPRESENTATIVE SADDLER asked if this was an appropriate place to insert a provision for the unorthodox restraining techniques which were occasionally used.

MR. DAVIDSON asked about the unauthorized restraint techniques. He said that he was not aware that this was an issue in statute. He offered his belief that the addition of this definition served to define these areas as having a duty to provide sight and sound separation and move them on in six hours or less.

REPRESENTATIVE SADDLER said that, as this was the vehicle for a lot of changes, he would ask the people in the Department of Public Safety.

REPRESENTATIVE EASTMAN referred to Section 26, page 15, and asked if there was now anything in the provision to limit the type of information available to a parent or guardian.

MR. DAVIDSON stated that the disclosure statutes were very robust and included someone with a legitimate interest in receiving the information. He said that this section amended a bill passed in 2012, as it was an "alignment issue" for "alleged to have" to now become "adjudicated delinquent."

[3:53:18 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 33, Section 34, Section 35, Section 36, and Section 37, which read:

Section 33 AS 47.14.050(a): Deals with the operation of homes and facilities Repealed and reenacted to update the language used to describe juvenile facilities

Section 34 AS 47.14.050(b): Deals with the operation of homes and facilities Updates language to reflect the diversity of Alaska communities that may be authorized to operate juvenile detention facilities

Section 35 AS 47.14.990(7): Social Services and Institutions Definitions Updates the definition of juvenile detention facilities

Section 36 AS 47.14.990(14): Deals with Social Services Institutions and Definitions Updates the definition of minor

Section 37 AS 47.14.990: Deals with Social Services Institutions and Definitions Adds new definitions for juvenile probation officer, juvenile treatment facility, and temporary secure juvenile holding area

[3:54:14 PM](#)

REPRESENTATIVE EASTMAN directed attention to Section 34 of the proposed bill [page 18, line 2], and asked if this prohibited the department from entering into a contract with a tribal organization.

MR. DAVIDSON explained that the intent was to update the term "cities," which was not inclusive of the types of communities in Alaska that may want to seek a contract with the department.

REPRESENTATIVE EASTMAN asked if the department was opposed to adding language to permit tribal organizations alongside municipalities.

MR. DAVIDSON directed attention to page 17, line 21 of the proposed bill, and explained that the intention was to include the range of organizations.

REPRESENTATIVE EASTMAN asked if the language limited this.

MR. DAVIDSON replied that it would be an unintended limitation.

REPRESENTATIVE SADDLER said that many non-profits associated with Native Corporations had contracted to provide VPSO services, although he was unsure if these would qualify. He stated that he did not know if a tribe would be considered a non-profit and asked if it would be appropriate to expand this section to include tribal authorities.

[3:57:21 PM](#)

REPRESENTATIVE KITO pointed out that the regional non-profit corporations were distinct entities and were not affiliated with the regional for-profit corporations, even though they may share some regional boundaries.

REPRESENTATIVE SADDLER asked whether the tribal entities operated under non-profit corporation status.

REPRESENTATIVE KITO stated that there were tribes which were established as non-profit organizations, although he was unsure whether this was universal.

[3:58:04 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 38 and Section 39, which read:

Section 38 AS 47.14.020(a): Deals with mandatory reporting of child abuse and neglect Adds juvenile probation officer, office staff, and staff of juvenile facilities to the list of mandatory reporters

Section 39 AS 47.28.15.176: Repealers Repeals revocation of juvenile driver licenses for offenses involving a controlled substance that were handled informally by the division. Repeals definitions for the terms "juvenile detention home" and "juvenile work camp" and "treatment facility"

REPRESENTATIVE SADDLER directed attention to Section 38 and asked if the practical impact of the change to the mandatory reporter status might mean to juvenile correctional facilities.

MR. DAVIDSON replied that this impact had been considered, and, by policy, the staff were mandatory reporters. They did receive admissions about abuse and neglect from the youth and they did make those reports. This change would recognize the duties and important role played by the staff.

REPRESENTATIVE SADDLER asked if it was good policy for every person speaking with the juveniles to be a mandatory reporter.

MR. DAVIDSON replied that facility staff and probation officers often had strong relationships with the youth, built upon trust and sharing. He said that the youth in the treatment facilities were required to assess their criminal offenses and the factors leading up to these offenses. He stated that, although these assessments could include abuse and neglect, every time they were brought up did not necessitate a new report. He allowed that with those youth "further deeper in the system" who "have been adjudicated delinquent and are working through their process," there was a different relationship and these admissions and discussions were much more confidential.

[4:01:43 PM](#)

REPRESENTATIVE EASTMAN asked whether, as some youth were notorious for making false reports, this provision which removed the staff discretion necessitated the reporting as legitimate.

MS. JESSEN said that, as many of the juvenile probation officers had professional certifications which carried an ethical requirement to report these types of infractions, the real amount of discretion was very limited. She pointed out that every report would go through an investigation process and there was not an automatic condemnation of the person receiving the allegation.

REPRESENTATIVE EASTMAN pointed out that there was a consequence for having to go through an investigation, and sometimes multiple investigations.

MS. JESSEN, in response to Representative Eastman, declared that all staff as mandated reporters would be obligated to report every allegation.

MR. DAVIDSON pointed out that the staff, by policy, were mandatory reporters, although the relationships with youth allowed for modulation of those known to be multiple reporters. He pointed out that once something was reported, they did not keep reporting it. He reported that the Office of Children's Services was the arbitrator of the investigations. He reiterated that the proposed bill did not change the discretion currently allowed by staff.

[4:05:34 PM](#)

REPRESENTATIVE TARR pointed out that, although there were more than 15,000 reports of harm each year, only a few thousand were screened in for an actual investigation, others were screened out, and false reporting takes place.

[4:06:00 PM](#)

REPRESENTATIVE SADDLER asked if there was an obligation for a mandatory reporter to report suspected child abuse inflicted by the minor in custody.

MR. DAVIDSON said "yes."

[4:05:57 PM](#)

REPRESENTATIVE SADDLER directed attention to page 19, line 9 of the proposed bill, and asked whether someone was no longer a mandatory reporter if they volunteered for less than four hours each week.

REPRESENTATIVE TARR explained that this was the minimum to be a mandatory reporter.

REPRESENTATIVE SADDLER mused that this did not apply to juvenile corrections or treatment.

[4:07:27 PM](#)

MS. JESSEN paraphrased from the sectional analysis Section 40, Section 41, and Section 42, which read:

Section 40 AS 11.41.425(b)(1) Applicability section
Applies to sections of the bill related to criminal
offenses

Section 41 Authorizes the department to adopt
regulations to implement the changes of the
legislation

Section 42 Effective date for regulations.
Immediately, allows DJJ to begin making changes

[4:07:49 PM](#)

REPRESENTATIVE TARR referenced the questions on the proposed bill for follow up, which included a question about the temporary, secure juvenile holding area, the inclusion of tribal entities, and some additional questions regarding Section 34 of the proposed bill.

MS. JESSEN acknowledged these questions and stated that she would have the answers as soon as the next committee meeting.

REPRESENTATIVE SADDLER asked Ms. Jessen if there was anything else that should be addressed.

MS. JESSEN offered her belief that the regulations should be regularly reviewed and updated with the current best practices.

MR. DAVIDSON added that, as bills which addressed juvenile justice and delinquency were rare, this was an opportunity to fix several "tweaks" which had been pending for many years.

[4:10:00 PM](#)

REPRESENTATIVE TARR said that HB 351 would be held over.

HB 290-CRIMINAL JUSTICE COMMISSION: MEMBERSHIP

[4:11:35 PM](#)

REPRESENTATIVE TARR announced that the next order of business would be HOUSE BILL NO. 290, "An Act relating to the membership of the Alaska Criminal Justice Commission; and providing for an effective date."

[4:11:51 PM](#)

VALERIE DAVIDSON, Commissioner, Office of the Commissioner, Department of Health and Social Services (DHSS), stated that favorable consideration for the proposed bill would be appreciated.

REPRESENTATIVE TARR noted that an additional fiscal note had been received from the Alaska Judicial Council.

[4:12:58 PM](#)

REPRESENTATIVE SADDLER asked Commissioner Davidson how her role on the advisory committee would be enhanced by status as a voting member as opposed to that as an advisory member.

COMMISSIONER DAVIDSON stated that a voting membership would allow the Department of Health and Social Services to weigh in on policy decisions considered by the Criminal Justice Commission. Although both voting and non-voting members participated in the deliberations of the meetings, those with a vote have a greater opportunity to influence the outcome of the policy decisions.

[4:14:04 PM](#)

REPRESENTATIVE EASTMAN moved to adopt Amendment 1, labeled 30-GH2586\A.2, Radford, 3/2/18, which read:

Page 2, line 15:

Delete "nonvoting member, serving ex officio, who is a"

Insert "[NONVOTING MEMBER, SERVING EX OFFICIO, WHO IS A]"

Page 2, line 17:

Delete "nonvoting member, serving ex officio, who is a"

Insert "[NONVOTING MEMBER, SERVING EX OFFICIO, WHO IS A]"

REPRESENTATIVE TARR objected for discussion.

[4:14:27 PM](#)

REPRESENTATIVE EASTMAN stated that the proposed bill would add two more voting members appointed by the governor to the commission. He offered his belief that the Criminal Justice Commission would become more a reflection of the governor's cabinet, pointing out that the majority of the 13 voting members of the board were appointed and served at the will of the governor. He opined that the purpose of the commission was larger than passing on the agenda of the governor. He suggested that, as the reasons offered by Commissioner Davidson for a voting membership were in line with the two non-voting legislative members, it would be "only proper that we also add these two legislative members to the voting category." He added that it would preserve the larger role of the commission for making recommendations inclusive of the judiciary, the executive, and the legislative branches.

[4:16:54 PM](#)

REPRESENTATIVE JOHNSTON asked about the voting membership of other boards and commissions with legislative ex-officio members.

[4:17:24 PM](#)

REPRESENTATIVE EASTMAN directed attention to a memo from Legislative Legal Services and stated that it would not be improper for the Criminal Justice Commission to have voting members from all three branches of government. He offered an example of another commission which had voting members from both the House and the Senate.

REPRESENTATIVE JOHNSTON emphasized that these were very distinct commissions with very different missions and asked for another example. She asked if there were any state policy commissions on which the legislature had voting members.

REPRESENTATIVE EASTMAN said that he would also like to have that information. He suggested that there were very few, if any, similar commissions which, by design, were reflective of all three branches of government and had more than one representative from each.

[4:19:11 PM](#)

REPRESENTATIVE SADDLER stated that it would take a systematic review to recognize which commissions and boards had voting legislative members. He stated that, although this commission

did authorize judiciary votes, it denied that legislative members have the right to vote, which he deemed to be inconsistent. He declared his support for the proposed Amendment 1.

[4:19:56 PM](#)

REPRESENTATIVE KITO shared that he had been appointed, as a voting member, to an advisory committee to the Department of Education and Early Development for bond reimbursement and grant review. He reported that this position was identified very specifically in statute. He offered his belief that this commission was "a little bit broader" and that it became a legislative policy call. He allowed that there could be a concern if there were recommendations from the Criminal Justice Commission to the Legislature while there were legislators on the commission who had already voted, and the Legislature was aware of the direction of those votes. He offered his belief that there could be a conflict if legislators were offering recommendations and having a vote on those recommendations. He stated that he could see reasons for both allowing and not allowing members to have voting rights and that it was up to the committee members to determine whether it was appropriate.

[4:21:38 PM](#)

REPRESENTATIVE CLAMAN offered his belief that it was a conscious choice by the commission to not have legislators vote, as these were policy recommendations to the legislature. The expectation was that legislators would make their vote in the Capitol. He offered his belief that the commission appreciated the perspective from legislators for how things would be received in the Capitol, and that a vote by legislators on the commission "would probably unduly impact the commission deliberations." He declared that he did not support the proposed amendment.

REPRESENTATIVE EASTMAN expressed his agreement that this was a policy call, and that the proposed policy would be to add two more voting members to the commission. He suggested that this would offer the opportunity for the commission to have joint representation from all three branches of government.

[4:23:43 PM](#)

REPRESENTATIVE TARR offered her belief that her service on a council as a non-voting member and a citizen legislator allowed the council to more easily reach a quorum when she was not

present. She expressed concern that legislative members could limit or discourage conversation regarding proposals related to funding as it may be unpopular.

REPRESENTATIVE SADDLER pointed out that the original premise for the Criminal Justice Commission did not include the Commissioner of the Department of Health and Social Services. He mused that the premise for much of the state criminal policy was that much of the criminogenic process was based on behavior. He stated that, to the extent that behavioral health was increasingly a factor in state correctional policy, the Commissioner of the Department of Health and Social Services already had tremendous influence on the dialogue and the policies that were pursued had far more impact than an advisory position. He added that many commissioners had multiple responsibilities on boards and commissions, and that the designee often represented them at board meetings.

[4:28:04 PM](#)

REPRESENTATIVE JOHNSTON asked what the legislators brought to the table at the commission in order to be voters.

REPRESENTATIVE EASTMAN stated that the question for legislators interested in service on the Criminal Justice Commission was for how active they should be, similar to the question for the level of activity for the Commissioner of Department of Health and Social Services. He shared that his desire to serve would be prioritized differently, dependent on the role as a voting or non-voting member. He declared that the message he wanted to send was for the "legislators to be just as active as our Commissioner." He acknowledged that, although legislators could quash discussion based on funding concerns as non-voting members, giving legislators the vote "tells them its important and that it also encourages the Commission as their going forward and making decisions to fully include the legislators."

[4:31:21 PM](#)

REPRESENTATIVE JOHNSTON opined that the commissioner was bringing access to the department, whereas a legislator was bringing a political agenda with the possibility to act on that agenda. She acknowledged that this could go "both ways." She pointed out that, as voting members, the legislators were responsible for taking the policy of the commission to their respective bodies. If they were non-voting members, they did not have to champion the policy.

[4:33:07 PM](#)

REPRESENTATIVE SADDLER stated that it could be argued that legislators could be some of the most effective members of the Criminal Justice Commission, based on their broad experience and perspective for state policy, funding constraints and opportunities, and the necessity of coordinating different state policy and law. He pointed out that legislators were a distinct minority on the commission, and he opined that two voting legislators would not be able to drive the agenda. He added that the commission was an advisory commission for recommendations. He noted that, as the judges would also be able to take votes on criminal justice policy when cases came through the judicial system they would also be required to implement the same policies.

REPRESENTATIVE CLAMAN pointed out that members of the judicial branch on the Criminal Justice Commission were often declining and recusing themselves from voting because they believed it was a policy question that they may be called upon to act in a judicial capacity. He stated that the judiciary viewed that these issues "could come before them on the bench and they don't want to have taken a position."

REPRESENTATIVE SADDLER responded that this was the practice and not the policy, and that this supported his argument.

REPRESENTATIVE JOHNSTON asked whether, once the commission adopted a policy, a legislator would be responsible for championing this policy in the legislature.

[4:36:54 PM](#)

REPRESENTATIVE EASTMAN offered his belief that passage of the proposed Amendment 1 would still allow that the now two voting legislators would still be "outnumbered more than two to one simply by the governor's cabinet." He declared that it would be naïve to assume that the governor's cabinet did not have a political agenda. He opined that the commission members would be well qualified and had a concern and passion for the work of the commission. He stated that this was an opportunity to encourage that commitment and passion by "making [the legislators] a full voting member." He stated that having the legislators as a lively part of the discussion was a value to be brought back to the legislature after a recommendation had been made. He opined that no commission member would feel obligated

to support a recommendation from the commission, regardless of their vote.

[4:39:51 PM](#)

REPRESENTATIVE TARR maintained her objection to proposed Amendment 1.

[4:39:57 PM](#)

A roll call vote was taken. Representatives Eastman and Saddler (alternate) voted in favor of Amendment 1. Representatives Tarr, Kito, Claman (alternate), Johnston, and Edgmon voted against it. Therefore, Amendment 1 failed by a vote of 2 yeas - 5 nays.

[4:40:48 PM](#)

The committee took a brief at-ease.

[4:41:23 PM](#)

REPRESENTATIVE TARR brought the committee back to order.

[4:41:51 PM](#)

REPRESENTATIVE SADDLER said that he could not support the proposed bill.

REPRESENTATIVE EASTMAN said that adding a crime victim to the commission as a voting member was good and would add to the diversity of discussion, although he was less convinced to the necessary addition of the commissioner of Department of Health and Social Services as a voting member.

[4:42:54 PM](#)

REPRESENTATIVE SADDLER said that, as he had overlooked the addition of a crime victim as a member of the commission, he would revise his position on the bill.

REPRESENTATIVE TARR pointed out that it was usually necessary to add two voting members to a commission to maintain an odd number of members.

[4:43:37 PM](#)

REPRESENTATIVE EDGMON moved to report HB 290, Version 30-GH2586\A, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 290 was moved from the House Health and Social Services Standing Committee.

HB 268-OPIOID PRESCRIPTION INFORMATION

[4:44:17 PM](#)

REPRESENTATIVE TARR announced that the final order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 268, "An Act relating to the prescription of opioids; relating to the Department of Health and Social Services; relating to the practice of dentistry; relating to the practice of medicine; relating to the practice of podiatry; relating to the practice of osteopathy; relating to the practice of nursing; and relating to the practice of optometry."

[4:44:51 PM](#)

CLAIRE GROSS, Staff, Representative Les Gara, Alaska State Legislature, declared that Alaska was in the midst of an opioid crisis, as three of five drug overdoses in the state involved opioids. She reported that Alaska had twice the national rate for prescription opioid overdose deaths. She stated that many people being prescribed opioid drugs were still unaware of the high potential for addiction or the associated health risk. The proposed bill, HB 268, was a patient information bill, had a narrow scope, and put little or no new burden on prescribers. The principal intent was to ensure that every patient being prescribed an outpatient supply of an opioid be made aware of the associated risk and be informed about alternative treatment options if reasonable options existed. She stated that the guidelines from the Centers for Disease Control and Prevention (CDC) for opioid prescribers asked that they provide this same information when they prescribed. She noted that the proposed bill would have medical providers with the authority to prescribe opioids make a brief oral statement, in their own words, which stated the reason for prescribing the opioid, that opioid use can lead to addiction, that the risk of addiction increased with time, that opioid addiction may pose potentially life threatening health risks, and offer reasonable alternatives to opioid medication therapy. She added that, along with the oral statement, the prescriber would give the patient a short hand-out prepared by the Department of Health and Social Services that provided appropriate information conveying the

potential addictive and health risks of opioids. She noted that this hand-out would also be available on the department's website and could be printed in the provider's office. She reported that the addition of the term "outpatient supply" to refer to opioid prescriptions would exempt emergency departments and in-patient facilities from the requirements of the proposed bill. The bill does not apply to patients receiving hospice care or substance abuse opioid dependence treatment. She stated that the new committee substitute removed discussion about heroin use and its relation to opioid abuse from the provider's oral statement and kept the focus on opioid medication. She listed the Department of Health and Social Services, the Alaska Mental Health Board, and the Alaska Dental Society as supporters of the proposed bill. She read part of a letter from Dr. Ann Zink [Included in members' packets]:

HB 268 appears to be legislating something that we believe physicians should be doing for their patients. As emergency physicians we fully embrace the importance of the risk-benefit- alternative discussion between provider and patient any time a potentially hazardous test or treatment is being considered. The decision to use opioids or not certainly falls into this category. Our hope is that with all the attention being paid to opioids by both the house of medicine and society in general, these conversations are already happening.

HB 268 may help encourage a conversation we believe in and is in line with many other steps this body and others have taken end this epidemic.

[4:48:40 PM](#)

REPRESENTATIVE EASTMAN asked if prescribing an outpatient supply only dealt with the initial prescription for a new patient.

MS. GROSS said that the intent had been for the initial visit and prescription, and that an amendment could clarify this ambiguity.

REPRESENTATIVE EASTMAN asked about a conceptual amendment.

REPRESENTATIVE TARR suggested to ask Legislative Legal Services to provide clarity.

[4:50:43 PM](#)

CLAIRE RADFORD, Attorney, Legislative Legal Counsel, Legislative Legal Services, Legislative Affairs Agency, acknowledged that the proposed bill was not clear, and that she could draft an amendment.

REPRESENTATIVE TARR asked if this was preferable as a drafted amendment or as a conceptual amendment.

MS. RADFORD opined that the single word would need to be added in the different sections.

REPRESENTATIVE TARR directed attention to page 4 [line 4] and asked if this could read "before prescribing the initial outpatient supply..."

REPRESENTATIVE EASTMAN suggested that it could read "before initially prescribing an outpatient supply..."

MS. RADFORD replied, "yes, that's correct."

[4:52:09 PM](#)

REPRESENTATIVE EASTMAN offered conceptual Amendment 1, adding the word "initially" between the words "before prescribing" on page 4, line 4.

REPRESENTATIVE TARR objected for discussion. She said that it would also need to be added on page 6, line 31; page 8, line 29; and page 11, line 1.

[4:53:13 PM](#)

REPRESENTATIVE TARR removed her objection.

[4:53:26 PM](#)

REPRESENTATIVE EASTMAN withdrew conceptual Amendment 1.

REPRESENTATIVE EASTMAN offered conceptual Amendment 2, which would add the word "initially" [on page 6, line 31; page 8, line 29; and page 11, line 1] and would allow Legislative Legal Services the latitude to make any conforming amendments for consistency.

REPRESENTATIVE TARR objected for discussion.

REPRESENTATIVE SADDLER opined that this was a reasonable limitation, as the warning would be as effective given once as it would be given multiple times.

[4:54:33 PM](#)

REPRESENTATIVE EASTMAN stated that his intent with conceptual Amendment 2 was to ensure that this was for the initial prescription to a particular patient.

[4:55:28 PM](#)

REPRESENTATIVE TARR removed her objection to proposed conceptual Amendment 2. There being no further objection, it was so ordered.

MS. RADFORD asked if Legislative Legal Services could have conforming authority to make those changes.

REPRESENTATIVE TARR said "yes."

[4:55:56 PM](#)

REPRESENTATIVE SADDLER asked if there were current laws preventing habitual, without good cause, overprescribing of opioids.

MS. GROSS said that she would defer.

[4:56:54 PM](#)

SARA CHAMBERS, Deputy Director, Juneau Office, Division of Corporations, Business, and Professional Licensing, Department of Commerce, Community & Economic Development, referenced the passage of House Bill 159 in 2017, one of many bills to combat the opioid crisis, and included a seven day limitation [to opioid prescription] which could be overridden by a prescriber if the prescriber was documenting the rationale for pursuing greater than a seven day supply. She stated that there was an evolution for different tools to combat this opioid crisis. She reported that the boards overseeing the licensees prescribing had codes of ethics, regulations, and other guidelines that indicate how patients should be informed prior to any course of action.

[4:58:32 PM](#)

REPRESENTATIVE EASTMAN stated that he was not enthusiastic about the proposed bill, although he acknowledged that the concern was well placed because opioid medications were not measuring up to the expectations for living better lives. He pointed to the requirements on page 4, line 14, for doctors to list any reasonable non-opioid alternative to the prescription as well as oral and written information. He stated that he did not think "the prescription matches the problem." He suggested that "requiring every prescriber to be listing out all the drugs that they didn't prescribe and the reasons maybe why they didn't" was more paperwork and regulation and not the solution to solve this problem.

[5:00:28 PM](#)

REPRESENTATIVE SADDLER expressed his agreement that opioid use and addiction in Alaska, as well as the rest of the nation, was "a real problem." He declared that the proposed bill did not deal with the prescription of opioids, per se, as nothing in the proposed bill changed the authority for writing prescriptions by doctors and dentists. He referenced House Bill 159 and its seven-day limitations. He stated that there were other restrictions, as physicians may prescribe subject to the constraints of the normal, ethical, professional practice of medicine, as informed by the Medical Board. He declared that the proposed bill did not deal with this. He offered his belief that people already realized that opioid drugs were addictive and that a doctor would make some offer of information to the patient. He shared his own experience upon receiving prescriptions from doctors. He stated that the proposed bill was essentially a "placebo bill" as it "has no real effect."

[5:02:19 PM](#)

REPRESENTATIVE JOHNSTON stated that, although she had originally had concerns with the proposed bill, the sponsor had addressed those concerns. She reported that several physicians had visited her office in the past week and that they had declared support for this bill, while pointing out that, even though there was a new emphasis among doctors, there was not enough being done. These doctors stated that there was not any harm in the proposed bill, and that "there could be some good." She declared her support for the proposed bill.

[5:03:12 PM](#)

REPRESENTATIVE EDGMON moved to report CSSSHB 268, Version 30-LS1081\R, Radford, 2/9/18, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

[5:03:30 PM](#)

REPRESENTATIVE EASTMAN objected.

[5:03:39 PM](#)

A roll call vote was taken. Representatives Kito, Edgmon, Saddler (alternate), Johnston, Claman (alternate), and Tarr voted in favor of CSSSHB 268, Version 30-LS1081\R, Radford, 2/9/18, as amended. Representative Eastman voted against it. Therefore, CSSSHB 268 (HSS) was reported out of the House Health and Social Services Standing Committee by a vote of 6 yeas - 1 nay.

[5:05:24 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Health and Social Services Standing Committee meeting was adjourned at 5:05 p.m.