

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

March 13, 2024

3:19 p.m.

MEMBERS PRESENT

Representative Jesse Sumner, Chair
Representative Justin Ruffridge, Vice Chair
Representative Mike Prax
Representative Dan Saddler
Representative Stanley Wright
Representative Ashley Carrick
Representative Zack Fields

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 285

"An Act relating to insurance; relating to mammograms; and providing for an effective date."

- HEARD & HELD

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 175

"An Act relating to midwives and the practice of midwifery; relating to apprentice midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of Licensed Midwives; relating to the Board of Licensed Midwives; extending the termination date of the Board of Licensed Midwives; relating to insurance; and providing for an effective date."

- MOVED CSSSHB 175(L&C) OUT OF COMMITTEE

HOUSE BILL NO. 200

"An Act relating to pull-tabs; relating to persons prohibited from involvement in gaming; and relating to the duties of the Department of Revenue."

- HEARD & HELD

HOUSE BILL NO. 378

"An Act relating to theft; relating to organized retail theft; establishing a statewide marketplace facilitator sales tax;

establishing the organized retail theft fund in the general fund; and providing for an effective date."

- BILL HEARING RESCHEDULED TO 3/15/24

Presentation: Pacific Health Coalition

- HEARING POSTPONED TO 3/18/24

HOUSE BILL NO. 271

"An Act relating to social media and minors; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 285

SHORT TITLE: MAMMOGRAMS: INSURANCE COVERAGE

SPONSOR(S): REPRESENTATIVE(S) FIELDS

01/22/24	(H)	READ THE FIRST TIME - REFERRALS
01/22/24	(H)	HSS, FIN
01/29/24	(H)	L&C REFERRAL ADDED AFTER HSS
01/29/24	(H)	BILL REPRINTED
02/14/24	(H)	HSS REFERRAL MOVED TO AFTER L&C
02/21/24	(H)	L&C AT 3:15 PM BARNES 124
02/21/24	(H)	-- MEETING CANCELED --
02/28/24	(H)	L&C AT 3:15 PM BARNES 124
02/28/24	(H)	-- MEETING CANCELED --
03/04/24	(H)	L&C AT 3:15 PM BARNES 124
03/04/24	(H)	Heard & Held
03/04/24	(H)	MINUTE(L&C)
03/13/24	(H)	L&C AT 3:15 PM BARNES 124

BILL: HB 175

SHORT TITLE: BOARD OF LICENSED MIDWIVES

SPONSOR(S): REPRESENTATIVE(S) ALLARD

04/24/23	(H)	READ THE FIRST TIME - REFERRALS
04/24/23	(H)	L&C, FIN
04/26/23	(H)	SPONSOR SUBSTITUTE INTRODUCED
04/26/23	(H)	READ THE FIRST TIME - REFERRALS
04/26/23	(H)	L&C, FIN
02/21/24	(H)	L&C AT 3:15 PM BARNES 124
02/21/24	(H)	-- MEETING CANCELED --
02/23/24	(H)	L&C AT 3:15 PM BARNES 124

02/23/24	(H)	Scheduled but Not Heard
03/08/24	(H)	L&C AT 3:15 PM BARNES 124
03/08/24	(H)	Heard & Held
03/08/24	(H)	MINUTE(L&C)
03/11/24	(H)	L&C AT 3:15 PM BARNES 124
03/11/24	(H)	Heard & Held
03/11/24	(H)	MINUTE(L&C)
03/13/24	(H)	L&C AT 3:15 PM BARNES 124

BILL: HB 200

SHORT TITLE: GAMING; ELECTRONIC PULL-TABS
 SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

05/10/23	(H)	READ THE FIRST TIME - REFERRALS
05/10/23	(H)	L&C, FIN
02/09/24	(H)	L&C AT 3:15 PM BARNES 124
02/09/24	(H)	-- MEETING CANCELED --
02/12/24	(H)	L&C AT 3:15 PM BARNES 124
02/12/24	(H)	Heard & Held
02/12/24	(H)	MINUTE(L&C)
02/16/24	(H)	L&C AT 3:15 PM BARNES 124
02/16/24	(H)	-- MEETING CANCELED --
02/26/24	(H)	L&C AT 3:15 PM BARNES 124
02/26/24	(H)	Heard & Held
02/26/24	(H)	MINUTE(L&C)
03/13/24	(H)	L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

EMILY NEIMAN, Alaska Government Relations Director
 American Cancer Society Cancer Action Network
 Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 285.

DOROTHY MCGRATH, representing self
 Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 285.

JESSICA IVANOFF, representing self
 Nome, Alaska

POSITION STATEMENT: Testified in support of HB 285.

LOIS EPSTEIN, representing self
 Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 285.

DON ENSLOW, Volunteer

Providence Alaska Hospital
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 285.

PENNY PALMQUIST, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 285.

BECKY ZAVERL, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 285.

KELLY MARRE, representing self
Soldotna, Alaska

POSITION STATEMENT: Testified in support of HB 285.

REBECCA LIBAL, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 285.

PAM VENTGEN, Executive Director
Alaska State Medical Association
Anchorage, Alaska

POSITION STATEMENT: Testified in support of 285.

LORI WING-HEIER, Director
Division of Insurance
Department of Commerce, Community, and Economic Development
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on
SSHB 175.

RACHEL PUGH, Member
Board of Certified Direct-Entry Midwives
Eagle River, Alaska

POSITION STATEMENT: Answered questions during the hearing on
SSHB 175.

ACTION NARRATIVE

[3:19:50 PM](#)

CHAIR JESSE SUMNER called the House Labor and Commerce Standing Committee meeting to order at 3:19 p.m. Representatives Saddler, Prax, Wright, Carrick, Fields, and Sumner were present at the call to order. Representative Ruffridge arrived as the meeting was in progress.

HB 285-MAMMOGRAMS: INSURANCE COVERAGE

[3:20:53 PM](#)

CHAIR SUMNER announced that the first order of business would be HOUSE BILL NO. 285, "An Act relating to insurance; relating to mammograms; and providing for an effective date."

[3:21:14 PM](#)

CHAIR SUMNER opened public testimony on HB 285.

[3:21:36 PM](#)

EMILY NEIMAN, Alaska Government Relations Director, American Cancer Society Cancer Action Network, testified in support of HB 285. She provided the committee with historical context on the issue and shared information on what constitutes increased risk [for breast cancer]. She added that even though the bill would only affect a small percentage of insured plans in Alaska, the other insured plans have followed precedent.

[3:25:09 PM](#)

DOROTHY MCGRATH, representing self, testified in support of HB 285. She shared that she and her mother are cancer survivors and described their experience receiving scans. She urged the committee to pass the bill to ensure that this life saving, early detection measure is fully covered to keep families from having to decide on getting a potentially life-saving scan given the high cost.

[3:27:13 PM](#)

JESSICA IVANOFF, representing self, testified in support of HB 285, given the high cost of medical care. She said she wants everyone to live as long as possible and to take preventative measures.

[3:28:10 PM](#)

LOIS EPSTEIN, representing self, testified in support of HB 285. She shared a personal anecdote about the cost of additional diagnostic scans. She said she should not be penalized due to the characteristics of her body that cause her to require

additional imaging, or issues with the imaging center where her mammography is performed.

[3:30:34 PM](#)

DON ENSLOW, Volunteer, Providence Alaska Hospital, testified in support of HB 285. He said HB 285 would eliminate the cost sharing for diagnostic imaging procedures for breast cancer, which are critical. Although mammogram screenings are free under federal law, additional imaging tests are not included in that. He urged the committee to consider passing the bill because early screening and diagnostic tests are critical for patients, specifically those at high risk.

[3:33:10 PM](#)

PENNY PALMQUIST, representing self, testified in support of HB 285. She shared that she is a cancer survivor, and due to her high-risk factors, she requires additional screenings every year. She urged passage of the legislation.

[3:34:27 PM](#)

BECKY ZAVERL, representing self, testified in support of HB 285 as a three-time cancer survivor. She stressed the importance of diagnostic screening and shared her story. She said cancer makes a person feel out of control, and that screenings and knowledge become power. She explained that eliminating cost sharing would provide more equal access to care and ensure a timelier diagnosis of breast cancer, improving the health outcomes for those diagnosed with breast cancer and reducing overall costs to the healthcare system. She urged the committee to move any roadblocks to keep families and loved ones healthy.

[3:38:48 PM](#)

KELLY MARRE, representing self, testified in support of HB 285. As an oncology social worker, she discussed the high cost of follow-up screenings. She reported that cancer patients are refusing to receive breast MRIs and diagnostic tests because they can't afford it. She urged the committee to support the bill because it would help people live longer.

[3:41:15 PM](#)

REBECCA LIBAL, representing self, testified in support of HB 285. She detailed the importance of annual imaging with

screening mammography and contrast enhanced breast MRIs for women at high risk for breast cancer. She said the out-of-pocket costs for such exams can be prohibitive, leading to patients declining the tests due to financial burden. She thanked members for hearing HB 285, which would help save the lives of Alaskan women and decrease the financial burden to society with early detection.

[3:43:54 PM](#)

PAM VENTGEN, Executive Director, Alaska State Medical Association, testified during the hearing on HB 285. She said a fellow board member relayed the following concerns about the bill: firstly, the diagnostic imaging after an abnormal screening should be covered by insurance and easier to afford; secondly, the supplemental breast exam for risk factors. She explained that the goal of supplemental screening is to catch cancer early, and in addition to an increased survival rate, early detection could decrease treatment costs because the more advanced surgeries and treatments may not be needed. She reiterated the Alaska State Medical Association's support for the bill.

[3:49:23 PM](#)

CHAIR SUMNER closed public testimony on HB 285 and announced that the bill would be held over.

HB 175-BOARD OF LICENSED MIDWIVES

[3:49:42 PM](#)

CHAIR SUMNER announced that the next order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 175, "An Act relating to midwives and the practice of midwifery; relating to apprentice midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of Licensed Midwives; relating to the Board of Licensed Midwives; extending the termination date of the Board of Licensed Midwives; relating to insurance; and providing for an effective date."

[3:50:08 PM](#)

REPRESENTATIVE PRAX moved to adopt Amendment 1 to SSHB 175, labeled 33-LS0601\S.1, Gunther, 3/9/24, which read:

Page 1, line 4:

Delete "**relating to insurance;**"

Page 1, line 11, following "hospitals,":
Insert "and"

Page 1, line 12:
Delete ", and to guarantee insurance coverage for
home births"

Page 13, line 18, through page 14, line 14:
Delete all material.

Renumber the following bill sections accordingly.

Page 16, line 7:
Delete "sec. 44"
Insert "sec. 39"

Page 16, line 31:
Delete "sec. 42"
Insert "sec. 37"

Page 17, line 12:
Delete "6 - 42"
Insert "6 - 37"

Page 17, line 18:
Delete "Section 47"
Insert "Section 42"

Page 17, line 20:
Delete "secs. 48 and 49"
Insert "secs. 43 and 44"

REPRESENTATIVE FIELDS objected.

[3:50:22 PM](#)

The committee took a brief at-ease at 3:50 p.m.

[3:51:44 PM](#)

REPRESENTATIVE FIELDS asked how home births attended by certified direct-entry midwives (CDM) are treated now under insurance statutes and how that would change under Amendment 1.

LORI WING-HEIER, Director, Division of Insurance, Department of Commerce, Community, and Economic Development (DCCED), asked whether Amendment 1 would delete "relating to insurance" from the title of the bill.

[3:52:43 PM](#)

REPRESENTATIVE PRAX said Amendment 1 would delete page 13, line 8, through page 14, line 14, which would require insurance companies that provide pregnancy related coverage to offer the same coverage for midwifery services.

MS. WING-HEIER suspected that Amendment 1 would not be feasible under the Affordable Care Act (ACA) because [the state] cannot pick and choose which providers receive certain insurance coverage. She offered to follow up with Representative Prax after further research.

[3:55:01 PM](#)

REPRESENTATIVE RUFFRIDGE shared his understanding that the purpose of Amendment 1 was to clean up the bill by removing unnecessary language, as it's already understood that licensed midwives would be covered if the healthcare insurer provided coverage for the costs associated with childbirth.

REPRESENTATIVE ALLARD said part of the issue is that she received letters from insurance companies stating, "if you put it state statute, we will follow the law." Consequently, the intent is to codify that language.

[3:56:26 PM](#)

REPRESENTATIVE CARRICK sought to confirm that the intent of Amendment 1 is to provide, in statute, that insurance providers are required to cover home births and midwife procedures.

[3:57:00 PM](#)

REPRESENTATIVE FIELDS sought to further understand what is required under current law with respect to midwife services, and how the bill, in addition to Amendment 1, would change that.

MS. WING-HEIER explained that home births are considered an insured event. She emphasized that the services and location of a delivery should not be debatable.

[3:58:06 PM](#)

REPRESENTATIVE PRAX shared his understanding that there were statutory restrictions on the conditions under which a midwife could provide home births, and SSHB 175 removes those restrictions. He asked how that affected the insurance companies' ability to calculate the (indisc.)

MS. WING-HEIER said Representative Prax was most likely referring to when the ACA first required that certain professions, including midwifery, be licensed.

REPRESENTATIVE PRAX directed attention to page 10, line 7, which states that CDMs may not knowingly deliver a woman with certain types of health conditions, prior history, or complications, as specified by the Board of Certified Direct-Entry Midwives ("the board"). He shared his belief that the bill would remove that restriction.

MS. HEIER did not know the answer.

REPRESENTATIVE PRAX withdrew amendment 1.

[4:01:38 PM](#)

REPRESENTATIVE FIELDS moved to adopt Amendment 2 to SSHB 175, labeled 33-LS0601\S.2, Gunther, 3/11/24, which read:

Page 9, line 28, through page 10, line 1:

Delete "(1) [RECOMMEND, BEFORE CARE OR DELIVERY OF A CLIENT, THAT THE CLIENT UNDERGO A PHYSICAL EXAMINATION PERFORMED BY A PHYSICIAN, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE WHO IS LICENSED IN THIS STATE;

(2)]"

Insert "(1) recommend, before care or delivery of a client, that the client undergo a physical examination performed by a physician, physician assistant, or advanced practice registered nurse who is licensed in this state;

(2)"

Page 10, line 2:

Delete "(2) [(3)]"

Insert "(3)"

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE FIELDS explained that Amendment 2 would reverse the deletion in statute that says a woman preparing to give birth must have a visit with a physician, physician's assistant (PA), or advanced practice registered nurse (APRN), prior to delivery or care by a midwife to ensure that women are aware of any pre-existing health conditions and how those might affect a pregnancy.

[4:02:46 PM](#)

REPRESENTATIVE SADDLER asked whether the examination described in Amendment 2 are covered by health. In addition, he inquired as to the benefits of that examination and the risks of not having it.

REPRESENTATIVE ALLARD said part of the benefit of having a midwife is that they are there from start to finish and taking that ability away from some women may be traumatizing. She shared her understanding that midwives are licensed to perform examinations and that if a pregnant woman does not have insurance, requiring her to see an independent physician may require her to cover the cost out of pocket, which the bill seeks to avoid.

[4:04:12 PM](#)

REPRESENTATIVE FIELDS asked Ms. Wing-Heier whether these procedures are covered by insurance.

MS. HEIER answered yes, if a woman has insurance, then the procedures would be covered.

REPRESENTATIVE FIELDS noted that federally qualified health centers can offer this kind of service on a sliding scale fee for woman who are uninsured or lack sufficient income.

[4:05:18 PM](#)

REPRESENTATIVE PRAX said there are women who do want to avail themselves to services provided by physician. He said he would not be in favor of requiring a pre-checkup.

[4:06:03 PM](#)

REPRESENTATIVE RUFFRIDGE said that he would be interested to know whether the national midwife examination requires a physical medical examination component.

[4:07:45 PM](#)

RACHEL PUGH, Member, Board of Certified Direct-Entry Midwives, said midwives are trained on preconception and "well women" care, so the examinations can be done by a midwife.

[4:08:01 PM](#)

REPRESENTATIVE SADDLER said the law requires that a midwife recommend an examination by an obstetrician-gynecologist (OB-GYN) or APRN; however, it's not a requirement. He questioned whether the examinations performed by nationally certified midwives is sufficient and suggested that deference should be given to the patient.

REPRESENTATIVE FIELDS agreed that it's not a requirement.

[4:09:04 PM](#)

REPRESENTATIVE RUFFRIDGE asked what Ms. Pugh would do if she came across something serious during the examination and how she would proceed with prenatal and delivery care.

MS. PUGH said through the examination and risk assessment tools, women fall out of a midwife's scope of practice and require a higher level of care.

[4:09:58 PM](#)

A roll call vote was taken. Representatives Fields, Saddler, Carrick voted in favor of Amendment 2. Representatives Ruffridge, Wright, Prax, and Sumner voted against it. Therefore, Amendment 2 failed by a vote of 3-4.

[4:10:51 PM](#)

REPRESENTATIVE FIELDS moved to adopt Amendment 3 to SSHB 175, labeled 33-LS0601\S.3, Gunther, 3/11/24, which read:

Page 10, lines 6 - 9:
Delete "[;

(4) NOT KNOWINGLY DELIVER A WOMAN WITH CERTAIN TYPES OF HEALTH CONDITIONS, PRIOR HISTORY, OR COMPLICATIONS AS SPECIFIED BY THE BOARD]"

Insert ";

(3) [(4)] not knowingly deliver a woman with certain types of health conditions, prior history, or complications as specified by the board"

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE FIELDS explained that Amendment 3 would reverse a recent regulatory deletion by the board that specified a list of patient conditions, prior history, or complications for which midwives should avoid delivering a baby. While the specific conditions are not listed, the amendment would revert to the status quo ante in state law and regulations, which states that home births are appropriate for situations in which there are not complications. Complications could include breach, twins, or vaginal birth after a previous cesarean delivery. He noted that he is a proponent of midwifery; however, in the event of complications, it does not make sense to allow for home births in statute.

REPRESENTATIVE PRAX said by removing this provision, the state would be leaving the decision to the discretion of the mother and the midwife.

[4:12:59 PM](#)

REPRESENTATIVE SADDLER opined that women should be able to seek the care they want. With respect to individual autonomy, he said he would oppose Amendment 3.

[4:13:36 PM](#)

REPRESENTATIVE RUFFRIDGE recalled that Ms. Pugh had stated that women would be referred to a clinical environment if a problem was found upon examination. He questioned the mechanism by which that happens.

MS. PUGH stated that midwives may only operate within their scope of practice, as outlined in state regulations, which match the national standards.

REPRESENTATIVE RUFFRIDGE sought to confirm that removal of this section would not change the regulation under which midwives operate.

MS. PUGH confirmed that this section is redundant.

[4:16:29 PM](#)

REPRESENTATIVE WRIGHT asked for the bill sponsor's opinion on Amendment 3.

REPRESENTATIVE ALLARD agreed with Ms. Pugh.

[4:16:56 PM](#)

REPRESENTATIVE PRAX shared his belief that midwives know their limitations. He expressed his opposition to Amendment 3 due to its redundancy.

[4:18:03 PM](#)

A roll call vote was taken. Representative Fields voted in favor of Amendment 3. Representatives Prax, Ruffridge, Saddler, Wright, Carrick, and Sumner voted against it. Therefore, Amendment 3 failed by a vote of 1-6.

[4:18:39 PM](#)

REPRESENTATIVE FIELDS said he would not be offering Amendment 4.

[4:18:47 PM](#)

REPRESENTATIVE FIELDS moved to adopt Amendment 5 to SSHB 175, labeled 33-LS0601\S.5, Gunther, 3/12/24, which read:

Page 5, lines 2 - 3:

Delete "[APPROVE CURRICULA AND ADOPT STANDARDS FOR BASIC EDUCATION, TRAINING, AND APPRENTICE PROGRAMS]"

Insert "approve curricula and adopt standards for basic education, training, and apprentice programs"

Page 5, line 4:

Delete "PROVIDE"

Insert "[PROVIDE]"

Page 5, lines 7 - 10:

Delete "(9) APPROVE EDUCATION, TRAINING, AND APPRENTICE PROGRAMS THAT MEET THE REQUIREMENTS OF THIS CHAPTER AND OF THE BOARD, AND DENY, REVOKE, OR SUSPEND

APPROVAL OF THOSE PROGRAMS FOR FAILURE TO MEET THE REQUIREMENTS"

Insert "(9)] approve education, training, and apprentice programs that meet the requirements of this chapter and of the board, and deny, revoke, or suspend approval of those programs for failure to meet the requirements"

Page 5, line 11:

Delete "(10)]"

Insert "(9) [(10)]"

Page 14, line 9:

Delete "AS 08.65.030(a)(7)"

Insert "AS 08.65.030(a)(9)"

Page 15, line 30:

Delete ", 08.65.070, and 08.65.090(b)"

Insert "and 08.65.070"

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE FIELDS said Amendment 5 would restore the components of the current apprenticeship program for new midwives; reverses the deletion of the board's authority to approve education, protocol, and standards for continuing education in apprenticeship programs. The proposed amendment would further allow mentors to be experienced midwives, OB-GYNs, or certified nurse midwives.

[4:20:01 PM](#)

REPRESENTATIVE ALLARD, in response to Representative Saddler, asked Ms. Pugh to speak to Amendment 5.

[4:20:37 PM](#)

MS. PUGH explained that education standards are qualified by the national certifying organization, not the state board. In order to receive a state license, midwives are required to receive a CPM credential. She said the board used to dictate which education pathways are accessible for an Alaska license, but now national standards of education are used.

[4:23:37 PM](#)

REPRESENTATIVE FIELDS said Amendment 5 would maintain the board's authority to follow the national standards or implement higher standards.

[4:24:05 PM](#)

REPRESENTATIVE SADDLER shared his understanding that the purpose of the bill is to have midwifery in Alaska governed according to the North American Registry of Midwives (NARM). He said he would defer to the intent of the bill and oppose Amendment 5.

[4:24:45 PM](#)

A roll call vote was taken. Representative Fields voted in favor of Amendment 5. Representatives Carrick, Prax, Ruffridge, Saddler, Wright, and Sumner voted against it. Therefore, Amendment 5 failed by a vote of 1-6.

[4:25:15 PM](#)

REPRESENTATIVE FIELDS move to adopt Amendment 6 to SSHB 175, labeled 33-LS0601\S.6, Gunther, 3/12/24, which read:

Page 5, line 19:
Delete "or diploma"

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE FIELDS explained that Amendment 6 would delete "or diploma" from the section that says the board may not adopt a regulation that requires a person to have nursing degree or diploma to be licensed under this chapter. He pointed out that previous regulations required a minimum of a high school diploma for certification of certified CDMs and opined that a high school diploma is not an onerous requirement for a medical professional.

[4:26:17 PM](#)

REPRESENTATIVE SADDLER asked the bill sponsor to speak to Amendment 6.

REPRESENTATIVE ALLARD said many people who do not have high school diplomas go to college and become successful. She opined that individuals who want to further their career later in life should not be punished.

[4:27:05 PM](#)

REPRESENTATIVE CARRICK asked whether a diploma includes a GED.

REPRESENTATIVE FIELDS answered yes.

[4:27:24 PM](#)

REPRESENTATIVE FIELDS, in response to a question from Representative Saddler, clarified that should Amendment 6 pass, a high school diploma or GED would be "the floor."

REPRESENTATIVE SADDLER asked Ms. Pugh to specify difference between a nursing degree and a nursing diploma.

MS. PUGH said a nursing degree is obtained by someone who goes to college and becomes a registered nurse, and a diploma could be received by a certified nursing assistant (CNA). She said the section in question refers to a nursing degree or diploma, not a high school degree.

[4:30:23 PM](#)

REPRESENTATIVE RUFFRIDGE it seems that the word "diploma" may be duplicitous if it refers to a nursing diploma. For that reason, he said he would be supporting the proposed amendment.

[4:30:59 PM](#)

REPRESENTATIVE FIELDS clarified that Amendment 6 would restore the status quo ante, or "floor," for a high school diploma or equivalent. He said it would not require a nursing degree, as the whole point of a certified CDM program is to become a midwife by apprenticeship.

[4:31:25 PM](#)

REPRESENTATIVE SADDLER shared his understanding that "diploma," as stated on page 5, line 19, does not refer to a high school diploma. Instead, per Ms. Pugh's testimony, he said "diploma" refers to a nursing diploma.

[4:31:58 PM](#)

REPRESENTATIVE FIELDS clarified that a CNA is a short-term certificate, not a two-year degree.

[4:32:20 PM](#)

REPRESENTATIVE ALLARD shared her understanding that "diploma" refers to a nursing diploma.

[4:33:10 PM](#)

REPRESENTATIVE CARRICK echoed her support for Amendment 6. She agreed that the bill language is unclear as to whether "diploma" refers to a nursing diploma or high school diploma.

CHAIR SUMNER opined that "degree or diploma" referred to nursing.

[4:34:29 PM](#)

REPRESENTATIVE SADDLER moved to adopt Conceptual Amendment 1 to Amendment 6 to insert "nursing" after the word "or" on page 5 line 19.

REPRESENTATIVE CARRICK objected. She said she is unclear as to the definition of "nursing diploma."

[4:35:47 PM](#)

MS. PUGH, in response to a series of questions by Representative Prax, agreed that the bill is focused on passing the nationally certified course. She confirmed that a high school diploma or equivalent is required by NARM.

REPRESENTATIVE PRAX shared his understanding that the concern about requiring a high school diploma is already addressed.

MS. PUGH agreed.

[4:37:05 PM](#)

REPRESENTATIVE SADDLER asked Ms. Pugh to offer further clarification.

MS. PUGH defined a diploma in nursing as "an entry level nursing credential" that requires two to three years of training prior to graduation. She reiterated that the language on page 5, line 19 refers to a nursing diploma.

[4:38:13 PM](#)

A roll call vote was taken. Representatives Fields, Ruffridge, Saddler, Wright, Carrick, Prax, and Sumner voted in favor of Conceptual Amendment 1 to Amendment 6. No members voted against it. Therefore, Conceptual Amendment 1 to Amendment 6 passed by a vote of 7-0.

[4:39:04 PM](#)

A roll call vote was taken. Representatives Wright, Carrick, Fields, Ruffridge, Saddler, Sumner voted in favor of Amendment 6, as amended. Representatives Prax voted against it. Therefore, Amendment 6, as amended, passed by a vote of 6-1.

[4:39:53 PM](#)

The committee took an at-ease from 4:39 p.m. to 4:43 p.m.

[4:43:03 PM](#)

REPRESENTATIVE FIELDS moved to adopt Amendment 7 to SSHB 175, labeled 33-LS0601\S.8, Gunther, 3/13/24, which read:

Page 4, line 10:

Delete "**four**"

Insert "**three**"

Page 4, lines 12 - 16:

Delete "[, ONE PHYSICIAN LICENSED BY THE STATE MEDICAL BOARD IN THIS STATE WHO HAS AN OBSTETRICAL PRACTICE OR HAS SPECIALIZED TRAINING IN OBSTETRICS, ONE CERTIFIED NURSE MIDWIFE LICENSED BY THE BOARD OF NURSING IN THIS STATE,]"

Insert ", one member who is either a physician licensed by the State Medical Board in this state who has an obstetrical practice or has specialized training in obstetrics or a [, ONE] certified nurse midwife licensed by the Board of Nursing in this state,"

Page 16, line 4:

Delete "reads"

Insert "read"

Page 16, lines 5 - 8:

Delete "shall operate as the Board of Licensed Midwives, established by AS 08.65.010, as amended by secs. 7 and 8 of this Act, from September 1, 2023,

until the new members of the Board of Licensed Midwives are appointed by the governor under sec. 44 of this Act and confirmed by the legislature under AS 08.65.010(b), as amended by sec. 8 of this Act"

Insert "shall continue to serve on the Board of Licensed Midwives, established by AS 08.65.010, as amended by secs. 7 and 8 of this Act, for the remainder of the member's term under AS 08.65.010(b), as that section read on August 31, 2023, and until a successor is appointed and confirmed under AS 08.65.010(b), as amended by sec. 8 of this Act"

Page 16, lines 9 - 22:

Delete all material.

Renumber the following bill sections accordingly.

Page 17, line 18:

Delete "Section 47"

Insert "Section 46"

Page 17, line 20:

Delete "secs. 48 and 49"

Insert "secs. 47 and 48"

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE FIELDS explained that Amendment 7 would change the board requirements to one member who is either a state licensed physician who has an obstetrical practice or specialized training in obstetrics, or a certified nurse midwife licensed by the Board of Nursing. He said he had worked on the amendment with Ms. Pugh and deferred to her for further comment.

[4:43:45 PM](#)

MS. PUGH said she believed Amendment 7 would be an acceptable change.

[4:44:28 PM](#)

REPRESENTATIVE WRIGHT asked to hear from Representative Allard on Amendment 7.

REPRESENTATIVE ALLARD said she found the proposed amendment to be a friendly one.

[4:44:52 PM](#)

REPRESENTATIVE SADDLER shared his understanding that Amendment 7 would shorten the board members' term from four years to three years. He questioned the effect of that change.

REPRESENTATIVE FIELDS clarified that "three to four" references the number of board members not the length of the term.

[4:46:10 PM](#)

REPRESENTATIVE WRIGHT remove objection. There being no further objection, Amendment 7 was adopted.

[4:46:21 PM](#)

REPRESENTATIVE SADDLER directed attention to page 4, lines 9-10, of the bill, which addressed the term length. He reiterated that Amendment 7 would indeed change the length of terms from four years to three years.

[4:46:53 PM](#)

REPRESENTATIVE FIELDS pointed out that "line 10" on page 1 of Amendment 7 should be "line 11," otherwise, the intent of the amendment is clear. He suggested that given the authority to make technical and conforming changes, Legislative Legal Service could clean up the language.

[4:47:35 PM](#)

REPRESENTATIVE RUFFRIDGE moved to report to SSHB 175, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSSHB 175(L&C) was reported from the House Labor and Commerce Standing Committee.

[4:48:06 PM](#)

The committee took an at-ease from 4:48 p.m. to 5:51 p.m.

HB 200-GAMING; ELECTRONIC PULL-TABS

[4:51:09 PM](#)

CHAIR SUMNER announced that the final order of business would be HOUSE BILL NO. 200, "An Act relating to pull-tabs; relating to

persons prohibited from involvement in gaming; and relating to the duties of the Department of Revenue." [Before the committee, adopted as the working document on 2/12/24, was the proposed committee substitute (CS) for HB 200, Version 33-GH1054\S, Wallace, 2/8/24 ("Version S").]

The committee took an at-ease at 4:51 p.m.

[4:51:16 PM](#)

REPRESENTATIVE RUFFRIDGE moved to adopt Amendment 1 to Version S, labeled 33-GH1054\S.2, Wallace, 3/8/24, which read:

Page 2, following line 3:

Insert a new bill section to read:

"* Sec. 3. AS 05.15.115(b) is amended to read:

(b) The contract between an authorizing permittee and an operator must include the amount and form of compensation to be paid to the operator, the term of the contract, the activities to be conducted by the operator on behalf of the permittee, the location where the activities are to be conducted, the name and address of the member in charge, and other provisions the department may require. A contract between an authorizing permittee and an operator may allow the operator to pool permittees and divide the gaming income and payouts among permittees on a percentage basis. A contract for paper pull-tabs must require the operator to pay an authorizing permittee a minimum of 30 percent of the ideal net. A contract for electronic pull-tabs must require the operator to pay an authorizing permittee a minimum of 30 percent of the gross receipts minus prize payouts monthly."

Renumber the following bill sections accordingly.

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE RUFFRIDGE explained that Amendment 1 is intended to set a minimum of 30 percent of adjusted gross income (AGI). He said it would be helpful to put side boards on some of the payments that are associated with these processes.

[4:52:03 PM](#)

REPRESENTATIVE RUFFRIDGE moved Conceptual Amendment 1 to Amendment 1, which would delete "ideal net" and insert "adjusted

gross income" on page 1, line 12, and delete "gross receipts minus prize payouts monthly" and insert "adjusted gross income" on lines 14 and 15.

REPRESENTATIVE PRAX objected. He shared his understanding that "ideal net" means something specific to the industry. He said he did not understand AGI as it applies to pool tabs.

REPRESENTATIVE RUFFRIDGE explained that ideal net is only functional once the entire batch of game has been sold. Alternatively, electronic pool tabs are purchased by the play and in many cases, operators could be taking a "massive hit" with the term "ideal net."

REPRESENTATIVE PRAX shared his understanding that the risk of not selling the whole batch of pool tabs was borne by the operator rather than the permittee.

[4:55:22 PM](#)

A roll call vote was taken. Representatives Saddler, Wright, Carrick, Fields, Ruffridge, and Sumner voted in favor of Conceptual Amendment 1 to Amendment 1. Representative Prax voted against it. Therefore, Conceptual Amendment 1 to Amendment 1 passed by a vote of 6-1.

[4:56:01 PM](#)

A roll call vote was taken. Representatives Ruffridge, Saddler, Wright, Carrick, Fields, and Sumner voted in favor of Amendment 1, as conceptually amended. Representative Prax voted against it. Therefore, Amendment 1, as amended, passed by a vote of 6-1.

[4:56:35 PM](#)

REPRESENTATIVE RUFFRIDGE move to adopt Amendment 2 to Version S, labeled 33-GH1054\S.3, Wallace, 3/8/24, which read:

Page 5, following line 23:

Insert a new subsection to read:

"(i) A pull-tab manufacturer or an agent of a manufacturer may not provide to a vendor, operator, permittee, distributor, municipality, or qualified organization compensation or a gift, gratuity, premium, or other thing of value in an amount greater than \$25 annually, including the value of a gift,

gratuity, premium or other thing of value provided to an individual employee or agent of the vendor, operator, permittee, distributor, municipality, or qualified organization."

Reletter the following subsections accordingly.

Page 6, following line 23:

Insert a new subsection to read:

"(g) A distributor may not provide to an employee or agent of a licensed vendor, operator, permittee, municipality, or qualified organization compensation or a gift, gratuity, premium, or other thing of value in an amount greater than \$25 annually, including the value of a gift, gratuity, premium, or other thing of value provided to an individual employee or agent of the vendor, operator, permittee, municipality, or qualified organization."

Reletter the following subsection accordingly.

REPRESENTATIVE WRIGHT objected.

REPRESENTATIVE RUFFRIDGE explained that Amendment 2 follows up on concerns regarding manufacturers that may use a kickback or rebate in order to incentivize vendors, operators, or permittees to utilize their program. He opined that leveling the playing field by making kickbacks of more than \$25 annually illegal would be a good sideboard on electronic pool tabs.

[4:58:08 PM](#)

REPRESENTATIVE SADDLER expressed concern about the use of the term "kickback" and its potentially negative connotation. Nonetheless, he opined that Amendment 2 would provide reasonable reassurance to the public that there's no extra rebate.

[4:59:02 PM](#)

REPRESENTATIVE WRIGHT removed his objection. There being no further objection, Amendment 2 was adopted.

[4:59:12 PM](#)

CHAIR SUMNER announced that Version S, as amended, would be held over.

4:59:21 PM

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:59 p.m.