

**HB**

**51**

# ALASKA STATE LEGISLATURE

*Chair*  
FISHERIES

*Vice-Chair*  
EDUCATION

*Member*  
HEALTH, EDUCATION AND SOCIAL SERVICES

*Member*  
STATE AFFAIRS



**REPRESENTATIVE PAUL SEATON**  
House District 35

*Session:*  
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Juneau, Alaska 99801  
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Rep.Paul.Seaton@legis.state.ak.us

*Interim:*  
345 W. Sterling Highway  
Suite 102B  
Homer, Alaska 99603  
Phone 907-235-2921  
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## MEMORANDUM

*Fred*  
**TO:** Senator ~~Fred~~ Dyson, Chair  
Senate HESS Committee

*PS*  
**FM:** Representative ~~Paul~~ Seaton

**DATE:** March 13, 2003

**RE:** Committee Hearing for HB 51

At your earliest convenience could you please schedule House Bill 51 for a committee hearing. Attached you will find a copy of the bill and a sponsor statement. If you have any questions please feel free to call me anytime or speak with my lead staff, Chris Knight at ext. 6867

# Alaska State Legislature

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Juneau, AK 99802  
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## REPRESENTATIVE Paul Seaton

District 35

### Sponsor Statement

#### CS HB 51 (HES)

**"An act requiring pharmacists to include generic drug information on containers in which brand-name prescriptions drug orders are dispensed."**

As medical technology advances, many citizens, especially our seniors, are taking many different prescription medications to live a longer, healthier life. Seniors receive prescriptions from many different sources, AARP, internet pharmacies, mail order companies, insurance companies and local pharmacies. Increased sources of prescription drugs, may lead people to accidentally take multiple medications of the same drug, which could be sold brand or generic names. Double dosing may cause severe over-medication leading to serious side effects or even be life-threatening. House Bill 51 was introduced to safeguard Alaskans from overdosing on the same medication, but labeled under different names.

HB 51 requires state pharmacists to include the generic drug name on containers in which a brand-name prescription drug is dispensed. Under this bill, if a person receives a prescription for drug X, then the generic equivalent would be required to be listed on the label as well. This additional requirement would allow consumers to identify duplicate medications.

One recent case involves a woman with Parkinson's disease. The woman placed an order with her insurance company for a particular drug, which they shipped in the generic form arriving about ten days later. In the meantime, the woman went to her local pharmacy and refilled her brand name prescription. Weeks later, her family became increasingly worried when the woman began hallucinating. The family and her doctor were concerned after learning that the woman was double-dosing on the same drug. If the woman would have had the additional labeling requirement required by HB 51, the woman and her family would have been able to quickly identify her accidental double-dosing.

While no statistics directly measure the extent of the double-dosing problem in Alaska, elderly administrators have implied that it is a serious problem. Providing one extra piece of information when prescriptions are filled could immeasurably help in saving lives. HB 51 simply requires additional generic labeling on all brand-name prescriptions filled in the state, to inform and safeguard all Alaskans from over-dosing on the same medication.

The CS version of the bill made a technical change. The change allows all pharmacies to utilize their current computer system in listing the generic name. The old version of the bill required that the generic name be listed in parenthesis below the name-brand drug. This requirement did not conform to each particular pharmacy, which may have different operating computer software.

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
Bill Version: CSHB 51(HES)  
(H) Publish Date: 2/14/03

Revision Date/Time (Note if correction):  
Title An Act requiring pharmacists to include generic drug information on containers....  
Sponsor Representative Seaton  
Requester House Health Education & Social Services

Dept. Affected: DCED  
BRU Occupational Licensing (117)  
Component Occupational Licensing  
Component No. 2360

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156-Receipt Supported Services						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation requires pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed.

No new funds are required by the division to implement this bill.

Prepared by: Jennifer Strickler, Administrative Manager  
Division: Occupational Licensing  
Approved by: Edgar Blatchford, Commissioner  
Agency: Department of Community & Economic Development

Phone (907) 465-2144  
Date/Time 2/12/03 5:18 PM  
Date 2/12/2003



Alaska Chapter

Mission  
Statement

*Provide  
professional  
development,  
advocate  
responsible  
legislative action,  
and maintain the  
highest ethical  
business  
standards for the  
benefit of the  
consumer.*

President  
*Gina Bosnakis*

Vice-President  
*Barbara Wong*

Immediate  
Past President  
*Tom Turner*

Secretary  
*Lon Wilson*

Treasurer  
*Diana Stewart*

April 3, 2003

To: Sponsors of HB 51

The Alaska Association of Health Underwriters would like to express its support for HB 51 "An Act requiring pharmacists to include generic drug information on containers in which brand-name prescription drug orders are dispensed." If passed, we see this bill as something that will provide consumers in Alaska with much needed education about the use of generic drugs.

At the present time, the cost of prescription drugs is escalating faster than most, if not all other, sectors of the healthcare industry. According to Premera Blue Cross (sighted from their own claim data), the average cost for a brand name drug is \$101 compared to the average cost for a generic drug, which is \$22. Additionally, the Congressional Budget Office reports that generic drug use can save consumers \$8 to \$10 billion dollars a year in retail pharmacy costs.

From a safety standpoint, consumer can be assured that the FDA requires generics to have the same quality, strength, purity and stability as brand-name drugs.

Brand-name drug companies pay a lot to research, develop, advertise and market their product. When a brand-name drug comes off patent - about 10 years after marketing - other manufacturers can make and market drugs with the same ingredients; they do not have to repeat expensive research or marketing the brand-name company has done, so the savings are passed on to the consumer.

Please let me know if there is anything that my organization or I can do for you regarding this bill.

Sincerely,

Jennifer Bundy-Cobb, CEBS  
Legislative Chair 2002/2003

Cc AAHU Board  
Representative Norm Rokeberg  
Members of the House HESS Committee

THE  
FOLLOWING  
DOCUMENT(S)  
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Honorable Fred Dyson, Chair  
Senate Health, Education, and Social Services Committee  
Alaska Capitol, Room 121  
Juneau, AK 99801-1182

April 7, 2003

Dear Chair Dyson:

RE: HB 51 (Seaton) – Support

On behalf of the members of AARP In Alaska, we urge you and your colleagues on the Senate Health, Education, and Social Services Committee to support HB 51, authored by Representative Paul Seaton and co-sponsored by twenty-four of his House colleagues.

AARP believes that anything a state can do to ease the confusion of a consumer taking medication is well worth-while. We understand that Representative Seaton has developed this bill due to a real problem faced by one of his older constituents. We can assure you that many older consumers will benefit from having the generic equivalent name added to a brand name prescription. Helpful and "user-friendly" information will be beneficial for both older patients and younger family members who may be assisting them with their medications.

Representative Seaton's bill will be a welcome addition to quality health care in Alaska.

AARP recommends an "AYE" vote on HB 51.

Should you have any questions about our position, please feel free to contact Marie Darlin (586-3637), Coordinator of the AARP Capital City Task Force; Patrick Luby (907-762-3314), AARP Legislative Representative; or me (907-245-5259).

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Marguerite Stetson".

Marguerite Stetson  
Executive Council Member for Advocacy

CC: Vice-Chair Green  
Senator Wilken  
Senator Davis  
Senator Guess

Representative Seaton  
Marie Darlin  
Pat Luby



# SENATE COMMITTEE REPORT

DATE: 5/7/03

FURTHER: Judiciary

DATE TURNED  
IN TO OFFICE: 4.20.04

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 25(JUD)

## HB 25 HEALTH CARE SERVICES DIRECTIVES

"An Act relating to health care decisions, including do not resuscitate orders, anatomical gifts, and mental health treatment decisions, and to powers of attorney relating to health care, including anatomical gifts and mental health treatment decisions; and providing for an effective date."

and recommends:

- be replaced with S CS for CSHB 25 (HES)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
HSS	1/20		✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			✓	
<i>Linda Green</i>			✓	
<i>Betty Davis</i>			✓	
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			