

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Friday, February 24, 2017

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Vander Woude, Redman, Gibbs, Blanksma, Hanks, Kingsley (Lohman), Zollinger, Chew, Rubel

**ABSENT/
EXCUSED:** None

GUESTS: Trent Galloway and Justin Bell, Student Pharmacists; Alex Adams, Berk Fraser, and Misty Lawrence, Board of Pharmacy; Kevin Cleveland, ISU College of Pharmacy; Tim Olson and Steve Rector, CVS; Kris Ellis, IPA; Susie Pouliot, ID Medical Assn; Susan Farber, Idaho Psychological Assn; Laura Churns, Albertsons Companies; Francoise Cleveland, AARP; Tanya Harvey, Citizen

Chairman Wood called the meeting to order at 9:00 a.m.

MOTION: **Vice Chairman Packer** made a motion to approve the minutes of the February 7, 2017, meeting. **Motion carried by voice vote.**

**UNANIMOUS
CONSENT
REQUEST:** **Chairman Wood** made a unanimous consent request to amend the agenda to hear **HCR 9** before **H 191**. There being no objection, the request was granted.

RS 25357: **Treena Clark**, Program Manager, Department of Health and Welfare (DHW), Division of Behavioral Health, presented **RS 25357**. This Proposed Legislation deletes the references for the initial Regional Behavioral Health Board member appointments. The State Planning Council and Regional Boards sections are updated to include representation from the field of prevention. Additions are made to definitions for peer support specialist and family support partner.

MOTION: **Rep. Hixon** made a motion to introduce **RS 25357**. **Motion carried by voice vote.**

RS 25358C2: **Kris Ellis**, Idaho Psychological Association, presented **RS 25358C2**, to allow psychologists, with specified requirements, prescriptive authority in their field. Collaboration with the patient's primary care physician is mandated. Also required is a panel of experts to advise the Board of Psychology on issues relevant to prescribing psychologists.

MOTION: **Rep. Chew** made a motion to introduce **RS 25358C2**. **Motion carried by voice vote.**

HCR 9: **Rep. Melissa Wintrow**, District 19, presented **HCR 9**, a Concurrent Resolution to raise awareness and knowledge for the diagnosing of rare neurological diseases and support the small community of Idaho neurological pediatricians.

Tanya Harvey, testified in support of **HCR 9**. She shared information about her son's rare disease. With only one genetics testing lab in the state and a long wait list, persons with rare disorders suffer. Early recognition is imperative, especially when brain development is impacted. Travel outside of our state puts a stress on families and moves resources away from Idaho. We are in need of physicians who are willing to learn about and work with national organizations to manage the rare disorders already impacting Idaho.

Dr. Nicolas Camilo, Pediatric Oncologist, St. Luke's, testified **in support** of **HCR 9**. Idaho's rurality brings many challenges, including self-reliant citizens. Telecommunication collaboration allows participation with experts, although he still has to send patients out of state for sophisticated treatments. Expert mentoring programs such as Project ECHO (Extension for Community Healthcare Outcomes) could be used to help treat rare diseases. It is important to explore recruitment methods for pediatric neurologists and other specialists while increasing community awareness.

Rep. Wintrow, said, in closing, this Resolution raises awareness about the shortage. Using telehealth and networks may be the best route for our state. Finding one town willing to take this project on will be the next step.

MOTION: **Vice Chairman Packer** made a motion to send **HCR 9** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wintrow** will sponsor the bill on the floor.

H 191: **Pam Eaton**, President, CEO, Idaho Retailers Association and Idaho State Pharmacy Association, presented **H 191** to increase consumer access to certain low-risk medications through pharmacists. Already able to prescribe a variety of stipulated products, this gives the Board of Pharmacy limited rule making authority to add items to the existing approved product list in accordance with the Federal Drug Administration approved labeling.

Such products do not require a new diagnosis, are minor and self-limiting, are waived under the clinical laboratory improvement amendments (CLIA), or have an immediate life saving need. It would also restrict the Board from including any compound, biological products, or controlled substances. This would comply with the Legislative review of all Rules.

This addresses current bottlenecks for low-risk medications, such as those used for travel, cold sores, and lice. Expanding the scope of practice is evolutionary and happens in every profession.

Trent Galloway, Student Pharmacist, Idaho State University, testified **in support** of **H 191**. Student pharmacists are ready, willing, and able to provide the services to help pharmacists be better leveraged to their full potential.

MOTION: **Rep. Perry** made a motion to send **H 191** to the floor with a **DO PASS** recommendation.

Susie Pouliot, Idaho Medical Association, testified **in opposition** to **H 191**. This Legislation will provide a liberal, broad-based law. Only two states currently allow independent pharmacist prescribing authority, with parameters specifying drug classes, patient's age, and Board supervision. There is no Legislative direction on use of the broad authority and no guidance on the class of drugs, which could include contraceptives. There is a need for age limits, and parental consent or notification. Product discussions will be determined during the Rule making process, limiting public scrutiny and transparency.

Laura Churns, Pharmacist, Director, Pharmacy Legislative and Regulatory Affairs, Albertson's, testified **in support** of **H 191**. She stated the travel health program, available in thirteen states, is a quick and convenient way to come into the pharmacy during their extended and weekend hours, get screened, and receive the various medications and vaccinations needed.

Francoise Cleveland, AARP, Associate State Director of Advocacy, and **Kevin Cleveland**, Associate Dean of Student Services, Idaho State University, College of Pharmacy, appeared before the committee **in support** of **H 191**.

Alex Adams, Executive Director, Idaho State Board of Pharmacy, testified **in support of H 191**. He said this approach changes their current rule making submission for each drug and each class they want added to the existing approved product list.

Answering questions, **Dr. Adams** explained their negotiated rule making includes public notice, a live public meeting, additional time for the process, and the board deliberation on every comment. The process starts in the summer to provide time for more evidence and more public comment opportunities. Age and other limitations will be part of the rule making process, with individual requirements based on each drug and drug class.

The consumer pays no office visit cost when products are administered at a pharmacy location. Idaho allows physician dispensing and has 283 prescriber drug outlets. Physician dispensing regulations have been broadened to allow physicians to dispense substances without the government dispensing slip.

Responding to a question about Temporary Rule usage, **Dr. Adams** explained this is not a usual practice. Recent use addressed the immediate public safety need of a controlled substance which had caused two deaths in the state. Temporary Rules have strict requirements and have to be approved by the Governor.

Rep. Hixon, speaking **in support** of the motion, stated this is a good faith move and he expects the Board of Pharmacy to continue their transparency practice. Giving this authority requires very close Rules review.

**VOTE ON
MOTION:**

Chairman Wood called for a vote on the motion to send **H 191** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Perry** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 9:54 a.m.

Representative Wood
Chair

Irene Moore
Secretary