

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

13999

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Dennis Halliwell  
Operator's Signature

10/3/03  
Date

2003 HOUSE HUMAN SERVICES

HB 1399

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10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1399

House Human Services Committee

Conference Committee

Hearing Date January 29, 2003

Tape Number	Side A	Side B	Meter #
3	x		0.6 - 40.8

Committee Clerk Signature

*Sharon Rolfson*

Minutes:

Rep. Devlin: appeared as prime sponsor with written testimony with attached hand out.

Cal Rolfson, Legal Counsel for the Pharmaceutical Research & Manufactures of America, appeared in support with written testimony and attachment of Together Rx Savings Card and other attachments. Also proposed amendments.

Rep. Kreidt asked for the definition of Senior in this Program and if there was an age limit.

Answer: In this bill there is no definition of senior, whatever the drug companies definition would be of that, would be what would apply and it may vary.

Linda Carroll Shern, Regional Director for PHRMA, appeared and stated that the forms that were handed out explain the discount programs and who they are for.

Galen Jordre, Executive Vice-president of the ND Pharmaceutical Assoc. appeared in support with written testimony.

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*Doreen Hall*  
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House Human Services Committee  
Bill/Resolution Number HB 1399  
Hearing Date January 29, 2003

Rep. Devlin noted that as sponsors we fully intend to have pharmacists on hand, this says nothing in our bill about using the Internet.

Rep. Niemeier questioned 1) the timeliness of medications and turn around time; Answer: 3-4 weeks from time of application until drug is received; and 2) medicines not labeled for use.

Answer: they come from companies to doctors and not labeled for use.

Rep. Potter had a question on limitations of quantities and how long they can be on them.

Answer: only eligible for certain period of time and must reapply after that.

Rep. Sandvig asked how do they get these drugs? mailed?, doctor or where? Answer: some get coupons, some mailed and by the physician.

Roger Wetzel, Eldercare Director at St. Alexius appeared in support and states they've tried discussing this very matter with a task force and handed out a card "Having Trouble Paying for Your Prescriptions" which lists web sites for patient assistance.

David Zentner, Director of Medical Services for Dept. of Human Services appeared neutral with written testimony.

Rep. Sandvig asked how many other states have that 1115 waiver? Answer: approximately 4.

Rep. Price as Mr. Houdek of the Governor's Office if this was not a policy program for Seniors Rx.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1399

House Human Services Committee

Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
1		x	0.9 - 23.4
Committee Clerk Signature <i>Sharon Rofron</i>			

Minutes Committee Work.

Judy Roberts, the Intern explained that on Page 1, Lines 9 & 10 - amendments by Cal Rolfson, they are not necessary as in the NDCC, singular means plural and plural means singular.

Rep. Devlin doesn't feel this should go to the Dept. of Human Services but feels it should go to the Dept. of Ins. as they are more than welcome to take it and moves the amendments to change from the Dept. of Human Services to the Dept. of Ins. and to change the appropriation from \$50,000 to \$100,000.00, second by Rep. Porter.

Rep. Price noted the objection that we got from the pharmacy, Galen Jordre and how the drugs would be distributed. Currently, the free programs that people access, there are occasions where those drugs are shipped directly to the patients home once they've had the prescription and they've gone through all the hoops, so the pharmacist would not get a dispensing fee in that case. These are free drugs and the companies do not want to pay a dispensing fee to the pharmacist.

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*Diana Halperin*  
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10/3/03  
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House Human Services Committee  
Bill/Resolution Number HB 1399  
Hearing Date February 3, 2003

For the other senior programs, they can receive the first months free sample, but otherwise they are dispensed through a pharmacy. So the pharmacist will be reimbursed.

We are just trying to link an already existing program with eligible people and doesn't understand the objection as noted by Rep. Porter.

Rep. Niemeier noted the objections by Mr. Jordre in stating the medications are not always available on a timely basis and the programs are dependent on the voluntary efforts of different medical providers. 50% of the pharmacists are opposed to these programs because of the paper work.

Vote on the amendments. 11-1-1 (Rep. Niemeier opposed)

Rep. Amerman: Just to be clear, to be eligible for this program, you have to be on Medicare.

Answer: for the reduced drugs, yes. The free drugs, no.

Rep. Potter mentioned the meeting that was held in Grand Forks with a lot of the pharmacists along with BCBS and they stated they really tried to work with these different programs and the problem was with all the programs are so different and hard for them to keep straight and keep up with them. This bill seems it would be so simple and would save the pharmacists from all that trouble, feels it is good.

Rep. Wieland had questions on Medicare and Medicaid and if you had to be on them or not.

Answer by Rep. Price: Medicaid would be primary, if your eligible to get the drugs for free under Medicaid, then you get them under Medicaid, this is for people who don't qualify for drugs anywhere else. Ex. Through insurance carrier, Medicaid, if they don't have prescription drug coverage and they meet the other requirements.

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Demetrius Hallworth  
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10/3/03  
Date

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Hearing Date February 3, 2003

Rep. Devlin stated that the pharmacists don't want to do the paperwork, this will take care of all that.

Rep. Pollert moved a DO PASS as AMENDED, second by Rep. Potter

Rep. Niemeier stated she agrees with Mr. Zentner's assessment that a Healthy Senior's Rx Plan may be the best choice for our state.

Vote: 11-1-1 Rep. Devlin will carry the bill.

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Deanna H. H. H. H.  
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10/3/03  
Date

30635.0101  
Title.0200

Adopted by the Human Services Committee  
February 3, 2003

VK  
2/3/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1399 HUM SER 2-04-03

- Page 1, line 1, after "pharmaceutical" insert "manufacturers" and remove "company"
- Page 1, line 2, replace "department of human services" with "office of insurance commissioner" and replace the comma with a semicolon
- Page 1, line 4, replace "department of human services," with "insurance commissioner"
- Page 1, line 5, remove "through its medical division,"
- Page 1, line 7, after "manufacturers" insert ", including free discount and coverage programs" and replace "department" with "commissioner"
- Page 1, line 10, replace "department" with "commissioner"
- Page 1, line 14, replace "\$50,000" with "\$100,000"
- Page 1, line 15, replace "department of human services" with "insurance commissioner"
- Page 1, line 16, replace "prescription" with "pharmaceutical manufacturers" and replace "assistance" with "access"
- Renumber accordingly

Page No. 1

30635.0101

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Date: Feb ~~January~~ \_\_, 2003  
Roll Call Vote #:

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1399**

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DP as Amended, Re-referred to Approp.

Motion Made By Rep Pollert Seconded By Rep Potter

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair	✓		Rep. Sally Sandvig	✓	
Rep. Bill Devlin, Vice-Chair	✓		Rep. Bill Amerman	✓	
Rep. Robin Weisz <i>A</i>			Rep. Carol Niemeier		✓
Rep. Vonnie Pietsch	✓		Rep. Louise Potter	✓	
Rep. Gerald Uglen	✓				
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland	✓				

Total (Yes) 11 No 1

Absent 1

Floor Assignment Rep. Devlin

If the vote is on an amendment, briefly indicate intent:

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10/3/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 4, 2003 10:44 a.m.

Module No: HR-21-1593  
Carrier: Devlin  
Insert LC: 30635.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1399: Human Services Committee (Rep. Price, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1399 was placed on the Sixth order on the calendar.**

Page 1, line 1, after "pharmaceutical" insert "manufacturers" and remove "company"

Page 1, line 2, replace "department of human services" with "office of insurance commissioner" and replace the comma with a semicolon

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