



NWGA Legislative Report: February 20, 2017

WASHINGTON

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The Washington Legislature has just ended Week 5 of Session, and today marks the deadline for non-budget bills to have been passed out of policy committees.

HB 1047 – Pharmacy Takeback

Support with Amendments

The bill has been amended to reflect our needed changes, including 18 months grandfathering. The pharmacy coalition may now support, but drug manufacturers are still opposed.

HB 1297 – Spirits Private Labels

Support

This bill would allow spirits manufacturers to provide services for retailers and have created an allowance within the statute to allow distillers to produce private labels for restaurants. The bill would not have included grocery stores, which currently have private labels without specific permission being given by the WA LCB. This bill is now dead; the issue is now being addressed for all private labels in HB 2000.

1596 – CSPA Electronics

Monitor

Requires a manufacturer of certain consumer or children's electronic products to provide notice to the department of ecology that the manufacturer's product contains a high priority chemical. The bill did not meet the committee deadline today, but NWGA will continue to monitor until the end of Session.

HB 1537/SB 5397 – Signature Gathering

Support

This is NWGA's signature gathering bill, that is modeled on Oregon's process. Bill requires disclosure by entities that compensate for petition signatures. Unfortunately, both of these bills died in committee. NWGA will revisit this issue during the interim.

SB 5032/HB 1116/SB 5829 – Paid Family & Medical Leave

Oppose

NWGA continues to monitor and engage in the Chamber negotiations. The biggest issue for the Business Community is not the cost of the program itself, but whether or not employers would have unemployment insurance obligation for temp employees. NWGA has asked the Dept. of Labor for clarification, and we should have more information in a few days.

SB 5549/HB 1762 – Marketing Bill

Support

These bills would allow manufacturers and distillers to pour at tasting events. The bill would allow distillers to actually pour at grocery events; currently grocer employees must pour. The

Senate version, SB 5549, has passed from committee amended to allow a distiller to pour product at a grocery tasting event. The House bill, HB 1762, died on a vote in committee.

SB 5822 – Omnibus Workers Comp

Support

NWGA supports this omnibus bill, which focuses on improving workers' compensation system costs and administration and worker outcomes through modification of procedures for claims to self-insureds, clarification of recovery in third-party legal actions, clarification of occupational disease claims, and lowering age barriers for structured settlements. The bill passed out of Committee, but Democrats still have a lot of issues with this bill.

HB 1351/SB 5194 – Off Premise Single licensure

Support

NWGA's licensure bill: Authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption. The bill had a hearing this week and NWGA is working to reduce the fiscal/cost. We anticipate for both of these bills to continue moving forward.

HB 2000 – Private Labels

Support

Allows for all (retailers/on premise) to provide private labels Nobody signed in as opposed during the hearing this week, and the bill was voted out committee unanimously. We are hoping for a vote within the next week.

HB 5744 – Mail Order Prescriptions

Support

This bill requires that an insurer notify a patient when they've been rolled into mandatory mail order programs, and requires that the patient opt in to the program to be required to use it. The bill had a hearing this week but PHARMA is still opposed.

IDAHO

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HB 3 – Tuberculin Protein Products

Support

Relating to pharmacy based tuberculosis skin testing. This is a service that has become routine in other states. Pharmacists will take a sample and then people will return within two to three days to have it identified as negative or positive. If the test is positive they will refer them to a physician. The bill passed and is on its way to the Governor for signature.

HB 4 – Tobacco Cessation Products

Monitor

The bill amends the definition of the practice of pharmacy to increase patient access to tobacco cessation products in certain scenarios, and to provide that a pharmacist who prescribes tobacco cessation products must obtain advanced training on tobacco cessation, screen patients for appropriateness and refer high risk patients as necessary, document the services provided, develop a follow-up care plan, and notify the patient's primary care provider of medications initiated.

SB 1028 – Underground Storage Tanks

Support

This legislation references S1244 (2016) will establish a dedicated fund for underground storage

tank fees to provide for better accountability and transparency. The fees would not exceed 100\$. A fee expenditure report would be provided to the owners by February 1st, it would potentially decrease future fees and there is a potential for interest earned. The bill is waiting for a vote in the House, and we fully expect passage.

HB 91 – “Immunization – Registry”

Monitor

HB 91 requires all providers and pharmacists who immunize a patient to enter the immunizations they administer into IRIS with the exception of adult influenza vaccines. Idaho Pharmacy Association & Idaho Retailers Association are neutral on the bill. Pharmacists will have a 28-day window to enter data. The bill should receive a vote in the House next week.

HB 129 – Dieticians Practice

Monitor

After several items of concern were raised by national nutritionist associations, these items were removed from the draft and inserted into a new version of the bill (HB 129). A hearing was held Friday in House and H&W Committee. The Board of Medicine presented the bill and there were two witnesses that testified in favor its passage. No one testified against the measure. It was sent to the House floor with a “do pass” recommendation. It is presently on the 2nd reading calendar in the House.

RS 23291 Pharmacy Authorization

Support

This is a result of two bills previously brought by the Board of Pharmacy: the TB skin testing bill and the Tobacco Cessation bill. The bill adds them to the list of what pharmacy techs are already allowed to prescribe.

OREGON

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HB 2114 – Opioid Prescriptions

Oppose Unless Amended

Prohibits issuing initial prescription for opioids or opiates to adults for outpatient use in quantity exceeding seven-day supply. As drafted, HB 2114 would expose pharmacists to significant liability. The bill will receive a hearing next week. NWGA still has serious concerns for pharmacy/pharmacist liability, and we are working on drafting amendments.

HB 2386 – Drug Takeback

Monitor

Directs each manufacturer of certain types of drugs that are sold within this state to develop and implement a drug take-back program. We expect at least two competing measures.

HB 2581 – Security Breach

Oppose

HB 2581 could have a serious impact on anyone that processes credit/debit cards or stores credit/debit card information. HB 2581 would (1) expand this requirement to all who possess or have access to personal information as a consequence of consumer transactions, even if they do not own or license the information and (2) create a private right of action allowing financial institutions to recover security breach-related costs from those that have access to personal information from consumer transactions. NWGA continues to meet with the bill sponsors and

the credit unions who are advocating for the bill.

HB 2746 – Bottle Bill

Support

This bill has been drafted by the manufacturers and distributors (and OBRC and NWGA) to allow for a transition period as the bottle deposit increases to \$.10 on April 1, 2017. The bill moved out of the policy committee last week and will be on the House floor for a full vote this week.

SB 235 – Tobacco Retail Licensing

Oppose Unless Amended

Requires retail license to sell tobacco and e-cigarettes. The Health Care Committee Chair has engaged NWGA in possibly crafting an entirely new bill that offers more compromise for what we worked on last Session (including preemption and a licensing program that mirrors Multnomah County).

SB 301 Drug Free Work Environment

Oppose

This bill would make it illegal to have conditioning employment on refraining from using any substance that is lawful to use in this state. The Oregon Business lobby is working with the attorneys who championed the Emerald Steel court case from 4 years ago to pull together a memo explaining that employers would still maintain the right to implement conditioning employment. This issue is especially important for members with distribution centers, employees using forklifts, etc.

SB 5503 – ODA budget

Support

ODA's budget will be up for public hearing and informational meetings this week. NWGA plans to testify in support of the new ODA Director and their proposed budget.