

Public Health Committee

MEETING MINUTES

Monday, March 19, 2018

11:00 AM in Room 1D of the LOB

The meeting was called to order at 11:05 AM by Chairman, Rep. Steinberg J. 136. The meeting was recessed until 11:20 AM.

The following committee members were present:

Senators: Gerratana T. S06; Kennedy T. S12; Logan G. S17; Markley J. S16; Moore M. S22; Somers H. S18

Representatives: Betts W. 078; Borer D. 115; Candelora V. 086; Carpino C. 032; Cook M. 065; Cummings S. 074; Demicco M. 021; Genga H. 010; Juleson-Scopino K. 012; Klarides-Ditria N. 105; McCarty K. 038; Perillo J. 113; Petit W. 022; Riley E. 046; Ryan K. 139; Scanlon S. 098; Srinivasan P. 031; Staneski P. 119; Steinberg J. 136; Tercyak P. 026; Winkler M. 056

Absent were:

Senators:

Representatives:

Rep. Steinberg asked if there were any comments from leadership.

Rep. Steinberg started with item number three on the agenda: bills to be considered for Joint Favorable [JF] action.

Rep. Steinberg recognized Rep. Betts.

Rep. Betts made a motion that bill numbers SB295 and HB5161 be put on a consent calendar. The motion was seconded by Sen. Gerratana.

Rep. Steinberg asked if the members had any objections to creating a consent calendar. Hearing none, a consent calendar was established.

Rep. Steinberg asked for a motion to JFS to the floor [S.B. No. 166](#) (RAISED) AN ACT ADDING AMNIOTIC FLUID EMBOLISM TO THE LIST OF ADVERSE EVENTS A HOSPITAL IS REQUIRED TO REPORT TO THE DEPARTMENT OF PUBLIC HEALTH.

The motion was offered by Sen. Moore and seconded by Rep. Scanlon.

Rep. Steinberg asked if there were any discussion questions.

Rep. Staneski indicated that she supports SB166 and hopes our congressional delegation takes this up and creates a national registry.

Rep. Steinberg noted that he appreciates Rep. Staneski's comment and that the Public Health Committee has discussed extensively, the issue of the use of data and the discussion is on-going.

Rep. Betts asked Rep. Steinberg to go over the substitute language, as he feels is a fairly significant point.

Rep. Steinberg asked Sen. Gerratana to respond. Sen. Gerratana said that the substitute language profoundly changes the language of the bill, stating that the Department of Public Health [DPH] will establish a registry of non-personally identifiable data on incidences of amniotic fluid embolism [AFV], each hospital will report to the registry on the diagnosis or treatment of this occurrence, and the data contained in the registry can be used by the DPH and researchers for purposes of evaluating treatments for AFV. Also, the data contained in the registry shall not be subject to disclosure under the Freedom of Information Act and the DPH may adopt regulations on the language.

Rep. Carpino wanted to ensure that SB166 would not release any personally identifiable information.

Sen. Gerratana confirmed that the reporting hospital would redact any personally identifiable information before sending the AFV data to DPH.

Rep. Petit asked if it would be a different entry point for people doing research and if DPH would be screening and certifying those as researchers, before releasing any data.

Sen. Gerratana indicated that her understanding is that DPH does have a screening system in place for researchers.

Rep. Steinberg asked if there were any other questions or comments. Hearing none he called for a roll call vote.

A roll call vote was conducted.

Total voting = 27; Yea = 22; Nay = 5; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg noted that votes will be held open until 4:00 PM.

Rep. Steinberg placed a hold on item number 2: [S.B. No. 219](#) (RAISED) AN ACT CONCERNING INDOOR TANNING.

Rep. Steinberg asked for a motion to JFS to the floor item number 4: [S.B. No. 301](#) (RAISED) AN ACT CONCERNING MASSAGE THERAPISTS.

Sen. Somers offered the motion and it was seconded by Rep. Betts.

Rep. Carpino requested that the chairs offer the LCO numbers for all bills with substitute language.

Sen. Somers offered the following amendment to: “ in line # 118, delete [two million] and insert 500,000 and, in line # 119, delete [six million] and insert one million”. This will put the malpractice rate in line with an APRN.

Rep. Betts seconded the amendment.

Rep. Steinberg asked if there were any questions regarding the proposed amendment.

Sen. Gerratana agreed that this is a friendly amendment and the bill needs to move forward out of committee.

Rep. Steinberg also agreed that this is a friendly amendment and asks if there are any other questions. Since there are none, Rep. Steinberg asks for a voice vote on the amendment.

Total voting = 27; Yea = 27; Nay = 0; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg returned to the discussion of SB301 as amended.

As the discussion continued, Sen. Somers requested to JFS to the Floor, SB301 as amended, and the motion was seconded by Rep. Betts.

A roll call vote is conducted.

Total voting = 27; Yea = 27; Nay = 0; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg asked for a motion to JF to the floor item number 5: [S.B. No. 304](#) (RAISED) AN ACT ESTABLISHING A MATERNITY MORTALITY REVIEW COMMITTEE WITHIN THE DEPARTMENT OF PUBLIC HEALTH.

Sen. Somers offered the motion and it was seconded by Rep. Betts.

Sen. Gerrata shared her concerns about the language as currently in the bill.

Rep. Carpino is concerned about how much personally identifiable information will be available publicly.

Rep. Staneski stated that she cannot support SB304, as it stands today.

Rep. Steinberg asked for a roll call vote.

Total voting = 27; Yea = 20; Nay = 7; Abstentions = 0; Absent and not voting = 0.

Rep. Steinberg asked for a motion to JFS to the floor item number 6: [H.B. No. 5150](#) (RAISED) AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING REVISIONS TO THE GENERAL STATUTES CONCERNING MUNICIPAL HEALTH AUTHORITIES AND DISTRICT DEPARTMENTS OF HEALTH.

Sen. Gerrata offered the motion and Rep. Borer offers the second.

Rep. Steinberg asked if there are any comments or questions regarding HB5150.

Sen. Somers would like to work to clarify the language, such as, the commissioner having final approval on municipal health directors which they have not had in the past. If the language cannot be clarified, Sen. Somers cannot support HB5150 if it moves to the floor.

Rep. Steinberg stated that the DPH commissioner currently does have the authority to appoint the municipal health directors.

Rep. Staneski stated that she cannot support HB5150 today, as she feels the authority should lie within the municipality.

Rep. Steinberg stated that there should be an assurance for a minimum standard.

Rep. McCarty stated that while she has the same concerns with line 8 she will be supporting HB5150 today.

Rep. Steinberg called for a roll call vote.

Total voting = 27; Yea = 20; Nay = 7; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg asked for a motion to JF to the floor item number 7: [H.B. No. 5156](#) (RAISED) AN ACT IMPLEMENTING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING ACCESS TO A COPY OF AN ACKNOWLEDGMENT OF PATERNITY.

Sen. Gerratana offered the motion and Rep. Borer offers the second.

Rep. Steinberg asked if there are any comments or questions.

Rep. Petit said he assumes the issue has existed over the last thirty or forty years and he wonders how people have gotten around the problem, but now we need a change in legislation.

Rep. Steinberg called for a roll call vote.

Total voting = 27; Yea = 27; Nay = 0; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg asked for a motion to JFS to the floor item number 9: [H.B. No. 5214](#) (RAISED) AN ACT ALLOWING MEDICAL ASSISTANTS TO ADMINISTER VACCINES AND NEBULIZER TREATMENTS.

Sen. Gerratana offered the motion and it was seconded by Rep. Borer.

Rep. Betts requested that the substitute language be read over.

Rep. Steinberg replied that the most significant change is the addition of language allowing medical assistants [MA], meeting specific certification requirements to administer nebulizers, to adults age eighteen and over, under the direct supervision of a physician or advanced practice registered nurse [APRN].

Rep. Petit noted that this is an important bill that has been requested in the pediatric community for years and that currently forty-nine states allow MA's to administer nebulizer treatments without trouble. Rep. Petit continues by stating his support for HB5214 and urging his colleagues to support the bill as well.

Sen. Somers commented that she agrees with Rep. Petit; however, she is disappointed that the bill is regarding people age eighteen and over, therefore it does not help the pediatric community all that much.

Rep. Steinberg noted that sometimes the legislature has to do small steps and asks if anyone else has any other questions or comments.

Rep. Borer stated that she agrees with Rep. Petit, and as a mother who administers nebulizer treatments at home, she feels that MA's are capable of performing that task in a physician's office.

Rep. Steinberg called for a roll call vote.

Total Voting = 27; Yea = 22; Nay = 5; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg asked for a motion to JF to the floor item number ten on the agenda: [H.B. No. 5294](#) (RAISED) AN ACT CONCERNING NATUROPATHS.

Rep. Borer offered the motion and Sen. Gerratana offers the second.

Sen. Somers offered an amendment: " in line # 30 to delete [may] and insert shall". Sen. Somers also requests to insert the may before sub-part B on line # 33 of the bill. The amendment would require the DPH to establish education requirements for naturopaths prior to creating the formulary.

Rep. Steinberg asked if there's a second to the amendment.

Sen. Logan offered the second.

Rep. Cook asked if it would prohibit the DPH from utilizing other states formularies in creating its formulary.

Sen. Somers replied that it would only establish the education requirements prior to creating the formulary. The DPH would be allowed to study formularies from other states to determine what its formulary will be.

Rep. Steinberg asked if there are other comments or questions.

Hearing none, Rep. Steinberg asked for a voice vote on the amendment.

The voice vote was undeterminable so the amendment was then placed on a roll call vote.

Total voting = 15; Yea = 11; Nay = 4; Abstentions = 0; Absent and Not Voting = 0.

The amendment was passed.

Rep. Steinberg asked if there were additional questions or comments.

Rep. Scanlon asked if this law would permit naturopaths to prescribe opioids to their patients.

Rep. Steinberg replied that the DPH would have the final determination; however, he added that the naturopaths have stated they are not interested in prescribing opioids. This would be a class of drug excluded from the formulary.

Rep. Petit stated that he has concerns with HB5294 moving forward as he feels that the current training is not adequate, in order to permit prescribing capabilities to naturopaths. Rep. Petit continued that he cannot support the bill as it stands and urged his colleagues to do the same and continue researching the qualifications for those to have prescriptive capabilities.

Rep. Staneski asked if HB5294 was approved, would there be a secondary step for naturopaths to prescribe or will it automatically allow for prescribing.

Rep. Steinberg responded that the DPH will not start from scratch with creating the formulary and that there would not be additional legislative steps, once DPH decides the formulary.

Rep. Staneski asked for an explanation concerning past attempts to discuss naturopaths with DPH over the last couple of years.

Sen. Gerratana responded that DPH will determine what the formulary will include regarding with prescriptive rights regarding antibiotics and similar drug classes. Naturopaths are not necessarily concerned with prescriptive rights to opioids.

Rep. Staneski stated that she is still concerned about opioids; however, she will support HB5294 to move out of committee but would like to continue working on the language of the bill.

Rep. Steinberg commented that he feels naturopaths have a more open, and enlightened, view about alternatives to opioids.

Sen. Logan commented that his focus is on patient-centered care, with numerous other states having provisions for naturopaths; however, Connecticut has a nationally-recognized program but students are leaving the state after graduation in order to practice their field. Sen. Logan pointed out that the legislative role is to assist in keeping people Connecticut.

Sen. Moore stated that she agrees with Sen. Logan.

Rep. Scanlon commented that he too, agrees with Rep. Staneski and still has concerns with HB5294 regarding the level of training and the possibility of prescribing opioids.

Rep. Borer commented that the Public Health Committee will still have input after the formulary is determined by DPH.

Rep. Cook asked if there was a way to add an amendment to state, "There will not be the ability to prescribe opioids?"

Rep. Steinberg requested a minute to consult with the Legislative Commissioners Office [LCO].

Sen. Gerratana commented that naturopathic physicians, who meet the qualifications, may use such drugs consistent with their practice. However, naturopaths do not have training with opioids; therefore they will not be promoted to use opioids.

Rep. Cook agreed with Sen. Gerratana but feels the Public Health Committee must do its due diligence in specifying this language in the bill.

Rep. Scanlon asked if there can be an amendment to line# 32 and suggested it say, "Qualifications to permit a naturopathic physician to prescribe, dispense, and administer non-opioid prescription medicines."

Rep. Steinberg asked Rep. Scanlon if he was proposing an amendment.

Rep. Scanlon deferred to Rep. Cook.

Rep. Cook offered the amendment to lines 32 and 34, to insert "which shall not include any opioid drugs" after the word [medicines].

Rep. Scanlon offered the second on the amendment.

Rep. Staneski asked if the term opioid was too broad. Rep. Staneski also asked if it was a good idea to have a board of naturopaths determining their own formulary to follow.

Rep. Steinberg noted that he did not have an answer at the time.

Rep. Betts asked to withdraw his second to the amendment that Sen. Somers offered earlier. Rep. Betts continued that withdrawing the amendment would allow the committee to move forward on the bill, vote it out of committee, and permit time for it to be reviewed and revised.

Rep. Staneski suggested that HB5294 be held, so further discussions could be had.

Sen. Somers agreed that HB5294 needs work. She also noted that restrictions on prescriptive capabilities would also put restrictions on treatment through naturopaths. Sen. Somers finished with her recommendation to hold HB5294.

Rep. Steinberg agreed to hold the bill.

Sen. Somers withdrew her amendment.

Rep. Cook withdrew her amendment.

Rep. Scanlon withdrew his second.

Rep. Steinberg held the bill.

Rep. Steinberg asked for a motion to JF to the floor item number 11 on the agenda: [H.B. No. 5296](#) (RAISED) AN ACT CONCERNING A STUDY TO IDENTIFY WAYS FOR STATE GOVERNMENT TO PARTNER WITH HOSPITALS.

Sen. Gerratana offered the motion and Rep. Borer offered the second.

Rep. Steinberg called for a roll call vote.

Total voting = 27; Yea = 20; Nay = 7; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg asked for a motion to JF to the floor item number 12 on the agenda: [H.B. No. 5297](#) (RAISED) AN ACT CONCERNING CONTINUING MEDICAL EDUCATION IN COLONOSCOPIES AND ENDOSCOPIES.

Sen. Gerratana offered the motion and Rep. Borer offered the second.

Rep. Staneski commented that she cannot support HB5297 at this time.

Rep. Steinberg asked Rep. Staneski to elaborate.

Rep. Staneski commented that she held a conversation with her niece, who is a practicing physician, and requiring additional training will miss-the-mark.

Sen. Somers noted that physicians are required to do eight hours of CME courses and she will be voting against this bill.

Rep. Steinberg asked if there were any changes that Sen. Somers would support for HB5297.

Sen. Somers continued that continuing education is targeted towards broad areas of public health, not for specialists.

Rep. Steinberg asked for any other questions or comments.

Rep. Petit commented that he agreed with Sen. Somers comments.

Rep. McCarty stated that she is in agreement with Rep. Petit and Sen. Somers.

Rep. Cook stated that she will support HB5297 out of committee. However, Public Health should work with the professionals to tailor the language of the bill into the correct format.

Rep. Steinberg agreed with Rep. Cook and urged a voted to pass HB5297 out-of-committee.

Rep. Staneski stated her concerns with hospital testimony for HB5297.

Rep. Steinberg commented that the JFS language proposed is intended to cover rare diseased.

Rep. Betts stated that he cannot support HB5297 at this time.

Sen. Logan stated that he also cannot support HB5297 at this time. Sen. Logan continued that he felt the bill needed more work and that a bill of such nature is not appropriate for a short session.

Rep. Steinberg asked for a roll call vote.

Total Voting = 27; Yea = 14; Nay = 13; Abstentions = 0; Absent and Not Voting = 0.

Rep. Steinberg called for a roll call vote on the consent calendar: [S.B. No. 295](#) (RAISED) AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS REGARDING TECHNICAL REVISIONS TO THE PUBLIC HEALTH STATUTES.

[H.B. No. 5161](#) (RAISED) AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING SEAT BELTS.

Total Voting = 27; Yea = 27; Nay = 0; Abstentions =0; Absent and Not Voting =0.

Rep. Steinberg announced the public hearing, for Tuesday, March 20th, at 11:00AM in room 2D of the LOB, and recessed the meeting until 4:00PM.

A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 4:00PM.

Beverly Henry
Administrator

Anne Gallagher
Assistant Committee Clerk
