



Legislative Update – February 19, 2010

House Bill 1045: Revise the definition of anabolic steroid, to provide for the scheduling of tapentadol, lacosamide, and fospropofol as controlled substances, and to declare an emergency.

Committee on Health and Human Services at the request of the Department of Health.

SDPhA Position: Support

This bill clarifies the definition of anabolic steroids and schedules the previously mentioned substances.

1/12/2010: First read in House and referred to House Health Human Services Committee.

1/21/2010: Scheduled for Hearing

1/21/2010: Health and Human Services Passed Yeas 12, Nays 0

1/26/2010: House of Representatives Do Pass, Passed, YEAS 65, NAYS 0.

2/12/2010: Senate Health & Human Services Passed YEAS 6, NAYS 0

2/17/2010: Senate Do Pass, Passed Yeas 32, NAYS 0

2/18/2010: Signed by Speaker

2/19/2010: Signed by President

House Bill 1156: Provide health insurance coverage for contraceptive drugs and devices.

SDPhA Position: Monitor

This bill clarifies that health insurance covers contraceptive drugs and devices.

1/28/2010: First read in House and referred to House and Human Services.

2/2/2010: Referred to House Commerce

2/22/2010: Scheduled for hearing

House Bill 1204: authorize reasonable suspicion testing and prohibit the use of controlled substances by welfare recipients.

SDPhA Position: Opposed

This bill clarifies authorize reasonable suspicion testing and prohibit the use of controlled substances by welfare recipients. We have concerns relating to the proper prescribing and dispensing of controlled substances for Medicaid recipients and the unintended consequences of this legislation.

1/28/2010 First read in House and referred to House Health and Human Services

2/9/2010: Scheduled for hearing

2/9/2010: Health and Human Services (Tabled)

House Bill 1231: provide for the monitoring of the prescribing and dispensing of controlled substances.

SDPhA Position: Support

This bill brought forth by Representative David Lust of Rapid City clarifies the monitoring of the prescribing and dispensing of controlled substances. The association was involved over the past year in a subcommittee of the Governor's Healthcare Commission to study PDM programs. Many of our concerns have now been addressed, but we will continue to work on this legislative effort as it moves forward. Recent amendments brought forth by the Association were successful and include removing the "additional substances" reference, leaving scheduled drugs only on the monitoring list, and removing the criminal penalty (Class 2 Misdemeanor) for failure to report and replacing it with administrative reporting to the respective licensing board of the dispenser.

2/2/2010: First read in House and referred to House Health and Human Services

2/11/2010: Health and Human Services, passed as amended 13-0

2/16/2010: House of Representatives Do Pass Amended, Pass YEAS 53, NAYS 13

2/17/2010: First Read in Senate and referred to Senate Judiciary

House Bill 1235: increase funding for certain providers of medical services and to make an appropriation therefor.

SDPhA Position: Monitor

This bill clarifies increase funding for certain providers of medical services and to make an appropriation therefor. Appropriates money from the health care trust fund to provide a 1.2% increase for providers of Medicaid-funded services.

2/2/2010: First read in House and referred to House Appropriations

02/12/2010: Appropriations Tabled, 6-3

HJR 1001: Proposing and submitting to the electors at the next general election a new section to Article XXI of the Constitution of the State of South Dakota, relating to freedom of choice in health care.

SDPhA Position: Monitor

1/28/2010: First read in House and referred to House State Affairs.

2/10/2010: Health and Human Services Passed YEAS 12, NAYS 0

2/18/2010: Health and Human Services Deferred to the 41st legislative day, 10-3

Senate Bill 83: Provide for the self-administration of prescription asthma and anaphylaxis medication by students.

SDPhA Position: Support

This bill allows school children to self administer medications for the treatment of asthma and anaphylaxis. Certain safeguards are in place to ensure proper usage.

1/22/2010: First read in Senate and referred to Senate Health and Human Services

2/3/2010: Health and Human Services Do Pass Amended, YEAS 7, NAYS 0

2/9/2010: Senate Do Pass Amended, YEAS 33, NAYS 0

2/10/2010: First Read in House and referred to House Health and Human Services

2/18/2010: Health and Human Services Do Pass, YEAS 13 NAYS 0, placed on consent calendar

2/19/2010: House of Representatives Do Pass As Amended YEAS 63 NAYS 0

Senate Bill 115: Prohibit the sale or delivery of contact lenses without a prescription.

SDPhA Position: Monitor

This bill clarifies no person may sell or deliver contact lenses without a valid prescription signed by a licensed optometrist.

1/27/2010: First read in Senate and referred to Senate Local Government.

2/17/2010: Referred to Senate Health and Human Services

2/19/2010: Health and Human Services Do Pass YEAS 6 NAYS 0

SCR 1: Opposing the government takeover of health care as currently proposed by Congress and encouraging preservation of states' rights regarding health care regulation.

SDPhA Position: Monitor

1/28/2010: Introduced.

2/1/2010 Senate Adopt Resolution, Passed Yeas 22, NAYS 10.

2/3/2010: House of Representatives Concurred in Resolution, YEAS 44 NAYS 24