

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, September 16, 2009 – 9:00 a.m. – Room 250 State Capitol

Members Present:

Sen. D. Chris Butters, Senate Chair
Rep. Paul Ray, House Chair
Sen. Allen M. Christensen
Sen. David P. Hinkins
Sen. Patricia W. Jones
Sen. Luz Robles
Rep. Trisha S. Beck
Rep. Bradley M. Daw
Rep. Christine A. Johnson
Rep. Kay L. McIff
Rep. Ronda Rudd Menlove
Rep. Phil Riesen
Rep. Evan J. Vickers

Members Absent:

Rep. Eric K. Hutchings
Rep. Stephen E. Sandstrom

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Cathy Dupont, Associate General Counsel
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Joy L. Miller, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Ray called the meeting to order at 9:25 a.m. Rep. Hutchings was excused from the meeting.

MOTION: Sen. Christensen moved to approve the minutes of the August 19, 2009 meeting. The motion passed unanimously. Sen. Butters, Rep. McIff, and Rep. Menlove were absent for the vote.

2. Substance Abuse

Rep. Beck explained that deaths from overdose of prescription pain medication have reached epidemic proportion in Utah. She distributed "Drugs and Chemicals of Concern." Rep. Beck discussed 2010 General Session draft legislation, "Drug Law Amendments," which would classify carisoprodol and tramadol as Schedule IV controlled substances.

Mr. Chad Platt, Salt Lake County District Attorney's Office, stated that by scheduling carisoprodol and tramadol, the information will be entered into the Division of Occupational and Professional Licensing (DOPL) database.

Rep. Vickers commented on how drugs on the various controlled substance schedules differ. He said that in the future the decision of whether to make a drug a controlled substance should go through a screening process involving the federal Drug Enforcement Agency and others. Rep. Beck explained that her bill had gone through such a process and that draft legislation has been requested to create that kind of process.

Mr. Robert Johnson, Drug Enforcement Administration, indicated that federal scheduling of controlled substances is done by the Food and Drug Administration after an appropriate comment period. He noted that carisoprodol is almost always abused in connection with other drugs. He discussed the higher level of security associated with drugs classified as controlled substances.

Mr. Dave Davis, Vice President and General Counsel, Utah Food Industry and Utah Retail Merchants Association, suggested that a process be created for scheduling drugs as controlled substances and that carisoprodol and tramadol be run through that process prior to making a decision whether to schedule them.

Ms. Michelle McOmber, CEO, Utah Medical Association, agreed with the Legislature scheduling

carisoprodol and tramadol. She said there may be some resistance to scheduling carisoprodol and tramadol by patients who would only be able to receive the drugs for six months at a time. She said that a process for scheduling drugs should be established.

Ms. Tibby Milne, Utah Council for Crime Prevention, stated that the more access there is to carisoprodol and tramadol, the more overdoses increase. She encouraged the Committee to support the legislation.

Chief Terry Keefe, Layton Police Department, discussed the increase in overdoses within Layton. He pointed out that scheduling carisoprodol and tramadol would enhance law enforcement's ability to deal with the problem statewide. He agreed with the idea of setting up a process for scheduling drugs.

Mr. Dean Jolley, Pharmacist, indicated that it would be a good idea to schedule carisoprodol and tramadol sooner than later and to get a screening process in place for other drugs in the future.

MOTION: Rep. Ray moved to amend the draft legislation as follows: Line 11: Delete "; and"; delete lines 12, 13, and 483; and make any other necessary conforming amendments. The amendments would remove any references to tramadol from the draft legislation.

Mr. Johnson presented statistics about tramadol prescriptions, illicit use, and deaths.

Mr. Reid Barker, Director, Utah Pharmacists Association, agreed with the proposed amendment. He said he hoped a procedure would be established to study tramadol.

The Committee voted on the motion, which passed unanimously. Sen. Robles and Rep. McIff were absent for the vote.

MOTION: Sen. Jones moved to adopt 2010 General Session draft legislation, "Drug Law Amendments," as amended, as a committee bill. The motion passed unanimously. Sen. Robles and Rep. McIff were absent for the vote.

Sen. Jones distributed and presented "The Terrible Price of Substance Abuse." She discussed the effect of substance abuse as it relates to child welfare, health, and the criminal justice system. She also distributed "Economic and Social Costs of Substance Abuse."

Mr. Lou Callister, Edward G. Callister Foundation, distributed the video "Prescription for Addiction." He stated the video is compelling and shows the effect of prescription drug abuse on families.

Mr. and Mrs. Terry and JoAnn Petrie, discussed the death of their son, Jordan, three years ago from drug overdose following his becoming involved with prescription pain medications. They stressed the need for prevention and encouraged the Committee to take action.

Dr. Glen Hanson, Professor of Pharmacology and Toxicology, University of Utah, distributed and reviewed a copy of his presentation "Prescription Abuse/Addiction Neurobiology: Call to Action." He also distributed "National Prescription Drug Abuse Prevention Strategy 2009" and "H.R. 1359" and answered questions of the Committee.

Mr. Barker discussed the locations that have been approved to accept disposal of prescription drugs. He said pharmacists are currently counseling patients on the proper use of their medications but not on what to do with unused medications.

Ms. Leah Ann Lamb, Assistant Director, Utah Division of Water Quality, distributed and reviewed "Proper Medication Disposal Program Speaking Points." She discussed the pollution of waterways by prescription drugs.

Chief Keefe indicated that the drug collection program in his community has been very successful. He said the program needs to be continued and expanded.

Mr. Pat Bird, Utah County Substance Abuse, indicated that there are coalitions for substance abuse prevention in each county, and with a willingness to invest in the prevention infrastructure, great changes would occur.

Ms. Lamb indicated that the use of prescription drug disposal bins are a stopgap until the federal law is changed to allow reverse distribution.

Mr. Mark Steinagel, Director, Division of Occupational and Professional Licensing, updated the Committee on the status of the pilot program for real-time updating and accessing of the controlled substance database. The program was funded in 2008, but funding was eliminated during recent budget reductions. He indicated that the Division is working to allow practitioners access to the database beyond the current 44 hours of the week during which they have access.

Ms. Erin Johnson, Utah Department of Health, distributed two fact sheets concerning the Department's prescription pain medication program: "Public Education: *Use only as directed* Media Campaign" and "Provider Education." She reviewed the results of a survey that measured people's willingness to dispose of prescription drugs at various locations.

Dr. Kim Bateman, HealthInsight, pointed out that there are pain patients who are not addicts. He outlined the methods used by HealthInsight to educate providers about pain medication.

Ms. McOmber stated that education about drug disposal is crucial. She read a resolution regarding prescription drug disposal adopted by the Utah Medical Association.

3. Alzheimer's Disease

Sen. Morgan discussed 2010 General Session draft legislation, "Alzheimer's and Dementia Awareness Concurrent Resolution," a resolution which urges, among other things, adoption by individuals of a brain-healthy lifestyle and continued effort by brain researchers and others to treat, prevent, and ultimately cure Alzheimer's disease and related dementias.

Mr. Nick Zulo, Alzheimer's Association, indicated that by 2025 Utah will have the highest prevalence of Alzheimer's disease in the nation. He asked that the Committee support the resolution.

MOTION: Sen. Buttars moved to pass 2010 General Session draft resolution, "Alzheimer's and Dementia Awareness Concurrent Resolution," with a favorable recommendation. The motion passed unanimously. Sen. Christensen, Sen. Robles, Rep. Daw, and Rep. Menlove were absent for the vote.

MOTION: Sen. Buttars moved to adjourn. The motion passed unanimously. Sen. Christensen, Sen. Robles, Rep. Daw, and Rep. Menlove were absent for the vote.

Chair Ray adjourned the meeting at 11:55 a.m.