The Legislative & Regulatory Process in the State of Washington

Objectives

* To review and understand the legislative process.
* To advise how to write, read, testify and advocate for legislation.
* To review sources of information about the legislature and legislation.
* To review the pharmacy regulatory process.

Legislative Structure

- House of Representatives (98)
- Senate (49)
- Governor (1)
- Third House (0)

Legislative Voting

- How many votes does it take to enact a bill into law?
- Are you registered to vote in WA?
- What Election District do you live in?
- Will you vote in November?
- Have you ever worked on a campaign?
- Have you ever contributed $ to a campaign?
Sessions

- 105 days in odd years (Budget)
- 60 days even years
- (weekends count)
- May add special sessions

Committee Structure

- Similar but NOT identical in each house
- 13 Senate
- 18 House
- Caucus
  - D & R in each house
- Chair by Majority member
- (Absolute Power!)

How a bill becomes a law

- Idea
- Write bill (self, lobbyist, committee staff)
- Code Reviser draft (H or S or Both)
- Get sponsors (Balance D & R)
- Drop in the Hopper!
- Goes to leadership
- Refer to committee of reference

Where to start

- Format of bill
  - title
  - underline (add)
  - strikeout (delete)
  - new sections
  - Each amended section is set out in full
  - When was it last amended?
- Numbering
How a bill becomes a law

* If money is needed also goes to:
  - S. Ways & Means or
  - H. Appropriations

How a bill becomes a law

* Public Hearing
* Anyone may testify
* Get schedule
* Sign up/collection handouts (Summary, amendments)
* Wait until name is called
* You know more than they do BUT...

How a bill becomes a law

* Good morning Senator… My name is… I represent …
* Keep it short
* Don’t repeat what others have said
* Tell them what you want them to do
  - *(Support or Oppose the bill)*
* I am available for your questions...

How a bill becomes a law

* DO NOT GUESS.
* Know the answers OR agree to provide the information later. Follow up if needed.
* Keep track of these questions & those asked of others. (Where might they be coming from?????)
You must be truthful!

- You are DEAD MEAT if you are not truthful or fail to keep a promise (i.e., you lose your credibility)
- OD Case

Follow-up

- Visit Legislators
  - Committee members
  - Rules Committee
  - Leadership?
- Have a one page summary of your bill.
  - Who supports, opposes why?
  - Answer questions

Committee work continued

- Executive Session
  - Cte. Vote on bill
  - No more testimony
  - Amendments
  - Do Pass/Do not pass
  - Goes to Rules Cte.

The Rules Committee

- Does NOT make rules.
- Traffic control
- Bill Graveyard
- Very influential
- No testimony
- Select bills that will go to the floor
Floor Action

- Leadership decisions
- Floor speeches
- Amendments
- Voting
- Up/Down
- If passes - goes to other house

The Other House

- Repeat the process
  - More amendments possible
  - Committee votes
  - Rules committee vote
  - Floor vote
- Back to first house for concurrence

Conference Committees

- Membership from Committees of Reference
  - Chairs
  - Vice Chairs
  - Minority Chairs
- Private meetings
  - Wheel & Deal-Compromise
  - If NO agreement - Request Free Conference
  - May rewrite the entire bill

Speaking of Conference Committees...

- Lets look at what is going on in Congress regarding a Medicare drug benefit
Federal Legislation

- Adding a prescription drug benefit to Medicare
- House-Senate Conference Committee
- Issues:
  - Real Benefit???
  - Private insurers will drop Rx coverage
  - Does not phase in until 2006 (after elections)
  - Privatize Vs expand Medicare

Medicare Legislation, issues

- Deductibles/co-pays
- Who pays for “dual eligibles” (persons >65 who also qualify for Medicaid)?

Back to the Floor of Each House

- Vote on compromise

The Governor

- Sign (approve)
- Veto
- Partial Veto
  - Full sections only
  - Veto message
  - (2/3 vote to override)
- Allow to become law without signature
- Time limits
Effective Dates of Bills

- Emergency Clause
  - Effective when signed
- Specific Date
- Normal Date
  - 90 days after session

The effect of Money

- Lobbyists
- PAC’s
- PDC
  - MD’s $ 200,000 contributions 1995
  - RPh’s $ 22,000
  - 2002 Drug Companies $ 900,000 plus
  - Guess who wins when we differ?

What can you do?

- Know your senator & representatives
- Visit with them before session
- Work on campaigns
- Donate $
- Work with PHARMPAC

Legislative example

- Chapter 96 Laws of 2002
- Prescription Labeling
INFORMATION

- Leglink
- WSPhA (www.pharmcare.org)
  - Links to Legislature, BoP, Rx Organizations
- TVW.com
  - Listen/view hearings & floor debate
- Hot line
- E-mail, letters, phone calls to legislators

Regulatory Process

- Board is given authority to make rules
  - See 18.64.005 RCW
  - Meet with Stakeholders
  - Develop drafts
  - Develop small business economic impact statement
  - Hold hearing
  - Publish rules

Who else regulates pharmacy?

- "Pharmacy is a pervasively regulated profession."

Who else regulates, cont.

- State Board of Pharm.
- Drug Enforcement Adm.
- FDA
- Consumer Products Safety Commission
- Federal Trade Comm.
- Medicare/Medicaid
- Occupational Safety & Health Administration
  - WA Labor & Industries
  - Dept. of Ecology
Summary

- The Legislative Process in Washington
- The Regulatory Process in Washington
- Who Else Regulates Pharmacy

Any additional questions?

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