

## The Legislative & Regulatory Process in the State of Washington



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## 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

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## Legislative Structure

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



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## 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?

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## Sessions

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

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## 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!)



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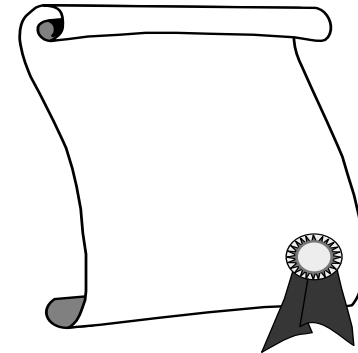
## How a bill becomes a law

- ⌘ 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

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## 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



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## How a bill becomes a law

⌘ If money is needed also goes to:

- ☑ S. Ways & Means or
- ☑ H. Appropriations

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## How a bill becomes a law

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

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## 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...

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## 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?????)

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## You must be truthful!

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



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## Follow-up

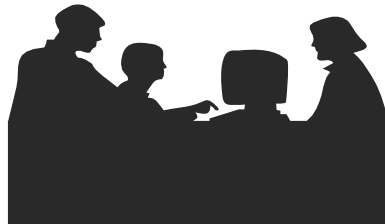
- ⌘ Visit Legislators
  - ☑ Committee members
  - ☑ Rules Committee
  - ☑ Leadership?
- ⌘ Have a one page summary of your bill.
  - ☑ Who supports, opposes why?
  - ☑ Answer questions



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## Committee work continued

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



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## The Rules Committee

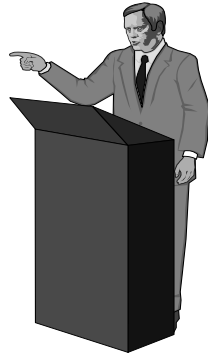
- ⌘ Does NOT make rules.
- ⌘ Traffic control
- ⌘ Bill Graveyard
- ⌘ Very influential
- ⌘ No testimony
- ⌘ Select bills that will go to the floor



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## Floor Action

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



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## The Other House

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

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## 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

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## Speaking of Conference Committees...

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

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## 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

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## Medicare Legislation, issues

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

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## Back to the Floor of Each House

- ⌘ Vote on compromise

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## 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



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## Effective Dates of Bills

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



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## 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?

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## What can you do?

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

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## Legislative example

- ⌘ Chapter 96 Laws of 2002
- ⌘ Prescription Labeling

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## INFORMATION

- ⌘ Leglink
- ⌘ WSPPhA ([www.pharmcare.org](http://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

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## 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

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## Who else regulates pharmacy?

⌘ "Pharmacy is a pervasively regulated profession."



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## 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

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## Summary

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

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## Any additional questions?

- ⌘ Don.Williams@dmr.virginia.gov
- ⌘ WWW.doh.virginia.gov/pharmacy/



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