

February 4, 2008

Retail Medicine



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● The next issue of
 ● Capitol Journal will be
 ● available on February 11th.
 ●

Top Story

The medical clinics that have been materializing in retail chain stores across the country are being hailed by some as a possible cure for the country's ailing health care system. But some doctors and state regulators don't approve of the remedy.

SNCJ Spotlight

In-store clinics: the future of health care?

While the presidential candidates, Congress and state lawmakers have been debating what to do about the 47 million Americans with no health insurance and the millions more with too little, the private sector has not only come up with its own plan for meeting the nation's yawning health care demand, but is well on its way to implementing it. Not without attracting plenty of resistance, however.



Over the past few years, big box retailers like Wal-Mart and pharmacy chains like CVS/Caremark and Walgreens have opened health clinics in hundreds of their stores across the country. Staffed primarily by nurse practitioners — registered nurses with advanced training — the clinics provide immunizations, health screenings and treatment for common ailments like sore throats, earaches and pink eye.

Open evenings and weekends, and with visits usually taking no more than 15 minutes — eliminating the need for appointments — the clinics have proven very popular with the public. The Convenient Care Association estimates the clinics, which now number around 900, have served over 2,000,000 patients since the first opened in 2000. And the clinics claim a 98 percent satisfaction rate.

Insurers have largely embraced the clinics as well, although they were initially concerned the clinics would increase the frequency of subscribers’ medical visits. Usage patterns didn’t bear that out, but they did show that the clinics could save insurers money. Blue Cross Blue Shield of MINNESOTA, for instance, found that, on average, the 22,956 visits its subscribers made to MinuteClinics between June 2004 and June 2005 cost about half of what doctors’ visits did (\$43 versus \$87).

Clinic patients with health coverage increasingly incur a co-payment similar to what they pay at their primary-care doctor. For them, convenience is the attraction. It’s the uninsured, who lack a regular doctor, and who are generally able to obtain treatment for less than \$65 per visit, who benefit most from the clinics. According

to a 2007 Harris poll, 22 percent of clinic patients fall into that category.

Retail clinics’ success in the marketplace prompted Grace-Marie Turner, director of the Galen Institute, a free market think tank, to suggest last May that they could be the

“disruptive innovator” in America’s health care system. She said that “as consumers get a taste of what consumer-friendly health care is like, they may well demand that the top-down, centralized health care delivery of the 20th century give way to a system more in tune with the demands of 21st century consumers seeking greater value and efficiency.”

Richard Datz, senior vice president of business development for CareClinic in Montvale, NEW JERSEY, offered a similarly favorable, if slightly more humanistic, view: “Look at how everyone is talking about universal health care. Certainly these clinics could be part of the solution.”

Not everyone sees it that way, however.

“We’ve got big problems in health care, and this is not the answer,” Dr. Rick Kellerman, president of the American Academy of Family Physicians, told *The New York Times* last summer. He went on to say that retail clinics “are a response, they are a niche market and an economic opportunity....”

“Look at how everyone is talking about universal health care. Certainly these clinics could be part of the solution.”



Then there's the conflict of interest issue, which heated up significantly last summer, when the American Medical Association — the nation's largest physician group — announced at a meeting in Chicago that it would urge state and federal investigations of the relationships between retail clinics and their host stores. The group said its decision had been spurred by statements from retailers indicating that in-store clinics “help drive additional store traffic, which can increase sales of lucrative prescription drugs and other non-health related products.”

Commenting on the subject, Peoria anesthesiologist and ILLINOIS State Medical Society President Dr. Rodney Osborn said, “Our primary focus is patient safety and

“Our primary focus is patient safety and patient care, and the retail clinics have a different mission of selling products and prescriptions.”

patient care, and the retail clinics have a different mission of selling products and prescriptions.”

Some doctors urged the AMA to impose an outright ban on the clinics. The association backed off taking that hard a line, but physician groups have pushed in other directions, including

supporting state legislative efforts aimed at tightening regulation of the clinics.

For example, the ILLINOIS State Medical Society, representing over 13,000 doctors, has thrown its weight behind HB 1885, which would require every in-store clinic to obtain a permit to operate.

“These retail storefront clinics, if you will, should face standards just as there are for hospitals, surgery centers and doctors’ offices,” said Dr. Osborn.

The retail-clinic, or convenience-care, industry has spent a good deal of time stating its case too, at times just as bluntly as its toughest critics.

“The real reason physicians oppose retail clinics has nothing to do with patient safety or quality care. Rather, it is pure profit-driven, anti-competition greed,” said

“The real reason physicians oppose retail clinics has nothing to do with patient safety or quality care. Rather, it is pure profit-driven, anti-competition greed.”

Edie Brous, a nurse and lawyer in NEW YORK who represents nurses on licensing issues.

But supporters have directly addressed the specific concerns raised by physicians as well.

Speaking to the quality of care issue, for instance, clinic operators say their NPs know their limits, and what they do, they do well. According to an internal MinuteClinic review published in *The American Journal of Medical Quality* last year, 99.15 percent of the 57,311 patients treated for sore throat at MinuteClinics in MINNESOTA between September 2005 and September 2006 received proper care. In contrast, an article in the October 2007 issue of *The New England Journal of Medicine* reported



that children nationwide receive appropriate ambulatory care less than 50 percent of the time.

Clinics have responded to physicians' continuity of care complaints by developing referral relationships with local physicians and hospitals. They also now forward patients' records to their primary care physicians, if they have them.

There is also anecdotal evidence to suggest that conflicts of interest might not be as much of a problem as they are presumed to be. BlueCross BlueShield of TENNESSEE reported that, based on analysis of six months of claims data, pharmacies with in-store clinics wrote fewer prescriptions than those without clinics. Clinic operators say that's because they follow strict "evidence-based" guidelines in diagnosing and treating patients.

Additionally, the industry says it benefits the medical community by offering evening, weekend and holiday hours when most doctors' offices are closed; by reducing the burden on emergency rooms; and by providing a point of entry to the health care system for those who don't have primary care providers.

Caroline Ridgway, senior policy associate for the CCA, thinks much of the resistance to retail clinics is the result of misperception about what they're trying to do. She says when people actually visit the clinics, they realize the clinics are "trying

"There's nothing mystical about this industry."

to complement traditional medicine, not replace it."

"There's nothing mystical about this industry," adds CCA Executive

Director Tine Hansen-Turton. "It's providers that are already regulated in the states who just happen to be providing more limited services than they're actually educated to do and doing it in a retail setting."

Hansen-Turton also made the point that "with 47, or 48 now, million uninsured, and another 30 million underinsured, we need more access. And, certainly, policymakers get that."

Undoubtedly, they also get that retail clinics offer an opportunity to expand access in a way that doesn't place the burden on their cash-strapped states. And those considerations, and the industry's other arguments, have apparently swayed some state lawmakers and regulators.

CALIFORNIA, WASHINGTON and WEST VIRGINIA are considering, and PENNSYLVANIA Gov. Edward Rendell (D) has signed, legislation (CA AB 1643

The week in session

States in Regular Session: AK, AL, AZ, CA, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MO, MS, NE, NH, NJ, NM, NY, OH, OK, PA, RI, SC, SD, TN, UT, VA, VT, WA, WV, WI

States in Perfunctory Session: IL
Special Sessions "a"-s"

States in Committee Hearings: FL

States in Special Session: CA "c", OR "a", PA "a", WI "c"

States in Budget Hearing Recess: DE

Special Sessions in Recess: CA "a", CA "b", CT "a"

States Currently Prefiling or Drafting for 2008: AL, FL, OK, WY

Letters indicate special/extraordinary sessions

— Compiled By JAMES ROSS
(session information current as of 02/01/2008)
Source: State Net database

voters and state lawmakers approve measures up for consideration this year.

There are several factors contributing to the slot machine craze. One is the weakening economy, which has slowed state revenue growth to its lowest level in years. Another is that, as Alan Meister, an economist at Analysis Group in Los Angeles put it, “Slots are considered an easier tax to impose” than others, like

“People pretend it’s free money. It’s not.”

sales or income taxes. In addition, PENNSYLVANIA’s success with slots — \$580 million in the first year, with only 12,000 of the 61,000 authorized machines in operation — has drawn a lot of attention.

But not everyone has caught the fever. MARYLAND Comptroller Peter Franchot intends to campaign against slot machine gaming in November.

“People pretend it’s free money,” he said. It’s not. The revenue comes from the poorest, most vulnerable, and it comes with huge social costs in addiction, bankruptcy, crime and corruption” (NEWS JOURNAL [WILMINGTON])

STATES TURN TO TOLLS: States struggling to replace revenues lost to the housing crunch are hitting up drivers. Major toll hikes are planned for some of the nation’s best-known toll roads, bridges and tunnels. The cost to drive all 157 miles of the INDIANA Toll Road, for example, will nearly double in April from \$4.65 to \$8 for those without an electronic i-Zoom account. In March, the fee to cross the George Washington Bridge, linking NEW YORK and NEW JERSEY, will go from \$5 to \$8, and tolls on the Holland and Lincoln tunnels, and Port Authority-controlled bridges, will jump from \$2 to \$10 per trip. On the opposite coast, it may soon cost \$6 instead of \$5 to cross CALIFORNIA’s Golden Gate Bridge, if the proposed increase makes it through public hearings and is approved by a board. (USA TODAY)

FL VOTERS APPROVE PROPERTY TAX MEASURE: There was a third big winner in FLORIDA’ presidential primary election last Tuesday, along with Sens.

Upcoming elections

01/31/2008 - 02/21/2008

02/05/2008

California Special Election
Assembly District 55

Illinois Special Primary
US House (IL 14th Congressional District)

Kentucky Special Election
House Districts 6 and 95
Senate District 30

Massachusetts Special Primary
House 8th Essex District; 32nd Middlesex District;
7th Bristol District; 23 rd Middlesex District

Missouri Special Election
House Districts 158, 65, 16

New Hampshire Special Primary
House Hillsborough Co District 07 (Goffstown, Weare);
Rockingham Co District 15 (Hampton)

South Carolina Primary (if necessary)
House District 92

02/09/2008

Louisiana Special Election
House District 6

02/12/2008

Florida Special Primary
House District 103

02/19/2008

South Carolina Primary Runoff (if necessary)
House District 92



Hillary Clinton and John McCain: Amendment 1, a ballot measure aimed at reining in the state’s mounting property tax bills. The measure will boost the “homestead” exemption for homeowners, maintain the current caps on annual property-tax hikes and allow homeowners to transfer tax-cap savings they’ve accrued to a new home anywhere in the state. The measure drew 65 percent of the votes, exceeding the 60-percent majority it needed to pass. (MIAMI HERALD)

BUDGETS IN BRIEF: VIRGINIA moved closer to scrapping its controversial “abusive-driver” fees last week when the Senate unanimously agreed to repeal them and give refunds to anyone who has paid them. The House has already approved a measure that would repeal the fees as soon as Gov. Timothy Kaine (D) signs it (WASHINGTON POST). • **NEW YORK** Gov. Eliot Spitzer (D) has proposed a mix of taxes, fees and nearly \$1 billion in health care cuts to close the state’s estimated \$4.4 billion budget deficit. The \$124.3 billion budget proposal he unveiled last week would also scale back plans for new education funding and property tax relief, and expand gambling (NEW YORK TIMES). • **CALIFORNIA’s** Department of Insurance has uncovered 133,000 alleged violations of state laws and regulations by health care provider PacifiCare stemming from its acquisition two years ago by UnitedHealth Group Inc. With each violation carrying a maximum penalty of \$10,000, the company could be into the state for as much as \$1.33 billion (LOS ANGELES TIMES).

— *Compiled by KOREY CLARK*

Politics & leadership

GOV-ENRON-MENT TROUBLES? The Enron scandal seven years ago sent the message that unethical behavior was rampant in corporate America. A study released last week gives the same impression about the public sector.

The study, done by the nonprofit Ethics Resource Center, found that within the last year, nearly 60 percent of government employees at the federal, state and local level have observed ethical lapses, including safety violations, conflicts of interest and alterations of financial records and other documents.

“Since Enron, policymakers have given a great deal of attention and emphasis to the need for the business sector to address their ethics issues,” said Patricia J. Harned, president of the center. “But in reality, government has their own issues to address, as well.”

The study was based on a telephone survey last summer of 3,452 U.S. workers, 774 of whom were employed by government agencies.



Among the categories of misconduct cited most frequently by the public-sector respondents were abusive behavior and lying to employees. The survey also found that workers who witnessed violations often did not report them, either because they didn't believe their superiors would take action or because they feared retaliation.

There were a couple of bright spots in the findings, however. Since the center's last survey in 2000, the amount of several illegal types of misconduct, such as theft, bribery, discrimination and sexual harassment, had declined. In addition, misconduct dropped 60 percent, and the reporting of violations rose 40 percent at agencies with well-implemented ethics programs. (WASHINGTON POST)

OK HOUSE SPEAKER RESIGNS: A little over a year ago, OKLAHOMA Rep. Lance Cargill (R), at 36, became the youngest House speaker in the country. Last week, he likely became the youngest House speaker in the country to resign. Following revelations that he had failed to file state income-tax returns and had been involved in some questionable fundraising, he informed his caucus that he was relinquishing his post. He will continue to serve as a representative, but Speaker Pro Tem Gus Blackwell (R) will serve as acting speaker until a vote is held to determine a new one. (LOS ANGELES TIMES)

— *Compiled by KOREY CLARK*

Governors

SCHWARZENEGGER VOWS TO PRESS HEALTH CARE FIGHT: Saying it is “time to regroup,” CALIFORNIA Gov. Arnold Schwarzenegger (R) vowed last week to “not give up trying to fix our broken health care system” after the state Senate killed the comprehensive \$14.9 billion reform measure he had championed. The measure, which had already been approved in the Assembly, would have required virtually every citizen to obtain health insurance and mandated that employers provide medical coverage or pay into a state pool that would help underwrite individual policies.

Schwarzenegger's comments to the Sacramento Press Club came a day after the Senate Health Committee rejected the measure, which was being watched closely by similarly-minded governors and health care advocates across the country. But Senate leader Don Perata (D) cited the state's imposing budget deficit — estimated at around \$14 billion — as the primary reason for killing the proposal.

“Everything we care about as Democrats and human beings is at risk. Our first priority is figuring out how to not lay off hundreds of teachers and not kick 165,000 kids off of Medi-Cal, and then we can talk about doing other things,” said Perata spokesperson Alicia Trost of the Committee's 7-1 negative vote (with three abstentions).



That argument, however, did little to discourage the governor from promising to press forward on a health care overhaul. “Just because the Senate has missed this golden opportunity and did not pass our health care reform doesn’t mean that we should walk away from reforming our broken health care system,” Schwarzenegger said.

Observers had been predicting the proposal’s demise for months. Those prognostications took on greater validity recently when the non-partisan Legislative Analyst’s Office (LAO) issued a report warning that the measure could potentially leave taxpayers footing the bill for billions of dollars in unexpected costs. But neither

“Just because the Senate has missed this golden opportunity and did not pass our health care reform doesn’t mean that we should walk away from reforming our broken health care system.”

Schwarzenegger nor Assembly Speaker Fabian Nuñez, the governor’s main ally on the proposal and the person most responsible for getting it through the Assembly, accepted that excuse.

not pass,” Schwarzenegger said. “Not what has been given to the public, but what is the real reason...In acting, we call it the sub-layers, the different colors underneath.”

“We have to find out what is the reason and why it did

Nuñez also complained that the measure did not receive a fair hearing before the vote that ultimately killed it. “If you’re going to have disagreements, they ought to be over the facts,” said Nuñez. “We did not have a hearing, not for one minute, on the

facts of this bill. That debate was not about the facts.”

“If you’re going to have disagreements, they ought to be over the facts.”

Schwarzenegger said he has not had time to meet with Nuñez, Perata or health care leaders to determine

where things go from here, but there are bills in both the Senate and Assembly to greatly expand health coverage to include the state’s estimated 760,000 uninsured kids. Whether Schwarzenegger would ultimately settle for that this year is yet to be determined. But the governor did reiterate that the collapse of his reform measure will not convince him to support another measure, SB 840, which would create a single-payer health care system in the Golden State. (STATE NET, WALL STREET JOURNAL, CAPITOL WEEKLY [SACRAMENTO], SAN FRANCISCO CHRONICLE)

CANDIDATES JOCKEY TO REPLACE BLUNT: Three MISSOURI Republicans — U.S. Rep. Kenny Hulshof, Lt. Gov. Peter Kinder and state Treasurer Sarah Steelman — have officially announced they will seek the state’s GOP nomination for governor this fall. Those announcements came within a week of



incumbent Gov. Matt Blunt's (R) stunning decision to not seek a second term, an unexpected turn of events that sent shock waves throughout both parties. It is possible that more candidates will yet join what is now seen as a wide open field, although several other prominent GOP lawmakers — including Democratic Secretary of State Robin Carnahan, Senate Majority Leader Charlie Shields, U.S. Rep. Jo Ann Emerson, House Speaker Rod Jetton and former Sen. Jim Talent — have considered and ultimately opted to stay out of the race. Democratic Secretary of State Robin Carnahan said last week she will also sit this one out. (SOUTHEAST MISSOURIAN [CAPE GIRARDEAU])

In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here's a snapshot of what's in the legislative works:

Number of prefiles last week: 538

Number of Intros last week: 5817

Number of bills enacted/adopted last week: 468

Number of prefiles to date: 12,517

Number of Intros to date: 32,207

Number of 2008 Session bills enacted/adopted overall to date: 468

— Compiled By JAMES ROSS
(measures current as of 01/31/2008)
Source: State Net database

GOVERNORS IN BRIEF: In her annual State of the State speech last week, **MICHIGAN** Gov. Jennifer Granholm (D) proposed investing up to \$300 million from Wolverine State pension funds in growing **MICHIGAN**-based companies. A Granholm spokesperson said later that the state would hire a fund manager to oversee those investments. Lawmakers would need to approve the investment plan beforehand (DETROIT FREE PRESS). • **ALASKA** Gov. Sarah Palin (R) is pushing a bill in the Last Frontier Legislature (SB 256) that would make it more difficult for animal rights groups to sue the state over its aerial wolf-killing program. State wildlife officials say the measure would not change how the program is run, but it would make the law more clear. Voters will have a say on the issue this fall when they vote on a ballot measure that would limit aerial wolf control to hunts done by state biologists in emergency situations (ANCHORAGE DAILY NEWS). • Saying the program doesn't work, **ARIZONA** Gov. Janet Napolitano (D) rejected \$1 million in federal funds for abstinence-only sex education. The program required the state to supply \$750,000 in matching funds. That makes the Grand Canyon State the 16th to just say no to the federal program (ARIZONA FREPUBLIC [PHOENIX]). • **WASHINGTON** Gov. Christine Gregoire (D) announced a voluntary pledge from the Evergreen State's leading medical groups to cease billing patients for egregious medical errors known as "never events" — those which should never happen in the first place. Gregoire convinced the medical representatives that a voluntary agreement would be better for them than if lawmakers addressed the issue legislatively (SEATTLE TIMES). • **PENNSYLVANIA** Gov. Ed Rendell (D) is expected to launch an aggressive campaign this week in support of his plan to privatize the **PENNSYLVANIA** Turnpike. Rendell wants to release



bidding guidelines to 14 financial consortiums in February, with winning bids being announced in March and a long-term lease with the winning bidder in place by May. Lawmakers must approve the sale first (PITTSBURGH TRIBUNE-REVIEW).

— *Compiled by RICH EHISEN*

Hot issues

B **USINESS:** The **DELAWARE** Senate approves SB 194, which would bar local governments from condemning private property if the purpose for that taking is to generate public revenue. It moves to the Senate (NEWS JOURNAL [WILMINGTON]). • A federal court overturns an order from **FLORIDA** officials that barred Allstate Corp. from selling new policies in the Sunshine State. Insurance regulators claim the **ILLINOIS**-based insurer, the largest in the nation, has refused to comply with subpoenas seeking documents that explain why it wants to raise homeowners rates in defiance of a state law passed last year. State officials plan to appeal (ST. PETERSBURG TIMES). • The **CALIFORNIA** Supreme Court rules that employers may fire workers who use physician-approved marijuana, even if the use comes on their own time and does not impact their work performance (LOS ANGELES TIMES). • Also in **CALIFORNIA**, the Senate rejects SB 926, a measure that would have required home lenders to talk personally with borrowers facing default before beginning foreclosure proceedings (LOS ANGELES TIMES). • A **UTAH** Senate panel approves SB 67, which would bar employers from instituting policies that ban their employees from bringing guns onto the company parking lot. It shoots off to the full Senate (DESERET MORNING NEWS [SALT LAKE CITY]). • The **GEORGIA** House approves HB 130, a proposal to allow consumers to block credit agencies from giving out their credit histories without written permission. The measure moves to the Senate (ATLANTA JOURNAL-CONSTITUTION). • A **VERMONT** House panel endorses a proposal to allow Green Mountain State farmers to grow hemp, a cousin to the marijuana plant. The measure, which now goes to the House floor, would only go into effect if the federal government reverses its current ban on hemp growth in this country (TIMES ARGUS [BARRE/MONTPELIER]).

CRIME & PUNISHMENT: A federal appeals court rules that **MISSOURI** corrections officials must provide transportation to clinics for inmates who want to have an abortion. State officials are considering an appeal (ASSOCIATED PRESS). • The **GEORGIA** House approves HB 301, which would make operating a dog fighting ring or betting on such events a felony punishable by up to 10 years in jail. The measure also takes a bite out of spectators, even if they are not betting, by



imposing a \$5,000 fine on anyone attending a dog fight. The bill moves to the Peach State Senate (ATLANTA JOURNAL-CONSTITUTION). • An **IDAHO** Senate panel also attacks dog fighting, approving legislation that would make it a felony punishable by up to five years in jail and a \$50,000 fine. It moves to the full Senate (IDAHO STATESMEN [BOISE]). • In **VIRGINIA**, the Senate and House each approve measures that would repeal the law allowing the state to impose “abusive-driving” fees on motorists convicted of certain moving violations. Those measures each move on to their respective opposite chambers (WASHINGTON POST).

Upcoming stories

Here are some of the topics you will see covered in upcoming issues of the State Net Capitol Journal:

- **National energy corridors**
- **Retail health clinics**
- **Pharmaceutical gifts to doctors**

EDUCATION: A **UTAH** Senate committee endorses SB 61, which would create an optional K-12 financial literacy track in Beehive State public schools. The curriculum would include coursework on basic budgeting, saving, investments, balancing a checkbook, renting or buying a home, retirement planning, loans, credit card debt, taxes, fraud and gambling. It moves to the full Senate (DESERET MORNING NEWS [SALT LAKE CITY]). • A **SOUTH DAKOTA** House committee approves HB 1261, which would allow students at Coyote State colleges to carry firearms on campus. That proposal moves to the full House. The same panel later killed HB 1086, which would have barred guns from college campuses (RAPID CITY JOURNAL).

ENVIRONMENT: A **MICHIGAN** House committee approves legislation requiring that 10 percent of the electricity sold to Wolverine State consumers come from renewable energy sources by 2015. The bill moves to the full House (DETROIT NEWS). • A **GEORGIA** Senate panel approves SB 342, which would provide state funds to pay for 20 percent of the cost of expanding a current reservoir and 40 percent of building a new one. It moves to the full Senate (ATLANTA JOURNAL-CONSTITUTION). • The **INDIANA** House approves legislation that would require the Hoosier State to join The Climate Registry, a nonprofit group working to develop a common method of tracking and reporting greenhouse gas emissions. Thirty-nine states and four Canadian provinces have already joined the group. The measure heads to the Senate (INDIANAPOLIS STAR).

HEALTH & SCIENCE: A **CALIFORNIA** Senate committee rejects AB X1 1, which would have required almost all Golden State residents to carry health insurance for themselves and their dependants. The measure also mandated that employers provide health coverage or pay into a state pool to cover those costs (SAN FRANCISCO CHRONICLE). • The **SOUTH CAROLINA** House approves legislation that would allow 10 or more businesses to group together to negotiate



cheaper healthcare insurance rates. The measure faces one more vote in that chamber before it goes to Gov. Mark Sanford (R) for review (ISLAND PACKET [BLUFFTON]). • An **INDIANA** House panel snuffs out a measure that would have barred smoking in most public places (JOURNAL AND COURIER [LAFAYETTE]). • A federal court upholds a **COLORADO** law that bars smoking in virtually all public places. A coalition of bars and other businesses had challenged the law as unconstitutional (DENVER POST). • The **UTAH** Senate endorses SB 14, a proposal to bar smoking in vehicles when children younger than 5 are present. Violators would face a \$45 fine. The measure now wafts into the House (SALT LAKE TRIBUNE). • The **WISCONSIN** Assembly gives final approval to a bill that requires Badger State hospitals to provide emergency contraception, known as “Plan B” or the “morning after” pill, to victims of sexual assault. The measure heads to the Senate (MILWAUKEE JOURNAL SENTINEL). • The **WASHINGTON** Senate endorses SB 5261, a proposal that would force insurance carriers to justify their premiums on individual health care plans. The measure moves to the House (SEATTLE POST-INTELLIGENCER).

In case you missed it

Spurred by the threat of losing federal highway funds, states have long made 21 their legal drinking age. But while that policy still has more supporters than detractors, a national effort is brewing to lower it to 18. The State Net Capitol Journal took an in-depth look at this controversial issue in our Jan. 21 issue.

In case you missed it, the article can be found on our Web site at http://www.statenet.com/capitol_journal/01-21-2008/html.

IMMIGRATION: A **SOUTH CAROLINA** House committee approves a measure that would require employers to check the legal status of their workers, bars illegal adults from public assistance and outlaws sanctuary cities. The measure would also make it a felony to help someone enter the country illegally and prohibit undocumented immigrants from buying weapons or attending public colleges. The measure migrates to the House floor (POST AND COURIER [CHARLESTON]). • Immigration is also the issue in **INDIANA**, where a Senate committee endorses SB 335, a proposal to require employers to use a federal tracking system to ensure their workers are not illegal immigrants. Employers that violate the statute would face suspension or revocation of their business license. It moves to the full Senate (INDIANAPOLIS STAR).

SOCIAL POLICY: The **MICHIGAN** Senate approves legislation that bars late term or so-called “partial birth” abortions. The measure would exempt such procedures performed to save the mother’s life. It moves to the House (DETROIT NEWS). • The **INDIANA** Senate approves legislation that would change the Hoosier State constitution to define marriage as only being between one man and one woman. The proposal marches down the aisle to the House (INDIANAPOLIS STAR). • Both houses of the **SOUTH DAKOTA** Legislature pass bills that would require abortion clinics to offer pregnant women a chance to see a sonogram before the procedure. Each moves to the other chamber (ARGUS LEADER [SIOUX FALLS]).



- The **TENNESSEE** Senate approves a proposed constitutional amendment that would invalidate a 2000 state Supreme Court ruling and let lawmakers place stricter limits on abortions. The measure moves to the House (CHATTANOOGA TIMES).
- The **KENTUCKY** Senate endorses SB 112, which would prohibit public agencies from extending health care benefits to the unmarried or same-sex partners of their employees. It moves to the House (COURIER-JOURNAL [LOUISVILLE]).

POTPOURRI: A **UTAH** Senate committee endorses SB 34, which would allow Beehive State residents to confidentially request that the state Driver License Division retest bad drivers. The person making the request would still have to give their name, but the state would keep that information private. It moves to the full Senate (DESERET MORNING NEWS [SALT LAKE CITY]). • A **VIRGINIA** Senate committee rejects legislation that would have required background checks be run on firearms buyers at gun shows. Current Old Dominion law requires only that people who buy guns from licensed dealers must be checked through the federal database that identifies convicted felons and others deemed a danger to the community (WASHINGTON POST). • The **MASSACHUSETTS** Senate approves a bill that would guarantee nursing moms the right to breast-feed their infants in public and private locations. It moves to the House (BOSTON HERALD).

— Compiled by *RICH EHISEN*

Once around the statehouse lightly

BUGGY BLUES? It is shaping up to be a slightly more expensive year for the WISCONSIN Amish community. According to the *Wisconsin Ag Connection*, state Rep. Joan Ballweg plans to introduce legislation to allow local municipalities to charge anyone who primarily travels by horse-drawn buggies — like the Amish — a \$40 registration fee for that...uh, vehicle. Ballweg contends that roads are generally paid for via vehicle registration fees, gas taxes and local tax levies, two of which buggy drivers are not currently forking over. Under her bill, locals could use the dough from buggy registrations to help maintain paved roads allegedly harmed by metal-shoed horses and wooden wagon wheels. If passed, however, the Badger state would not be the first to force buggies to have a license plate. That honor goes to INDIANA, which has required them for 60 years.



enforce the measure, restaurants would be required to have scales at the door to weigh folks coming in, and anyone with a Body Mass Index (BMI) of 30 or higher would be out of luck. This begs the question, O' Big Brother, where art thou? Apparently alive and well in the Magnolia State .

— By *RICH EHISEN*

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