

possibility exists that the entire amount owed to Iowa for any particular year could be eliminated if the statute is not diligently enforced.

Section 9 is the balance owed the private counsel retained to represent Iowa in its litigation against the Tobacco manufacturers. The original appropriation contained in House File 755, section 25, of last year's appropriation was \$944, 877.60 short of the obligation owed to the attorneys by contract. The shortage was created when estimates paid by Tobacco manufacturers over the last three years did not meet actual obligation. When the contractual obligation to the attorneys is concluded, the balance of the payments will be assigned to the State.

In its present form there is some question as to whether Sections 1 – 8 would jeopardize Iowa having a qualified model statute within the meaning of the Master Settlement Agreement. That in itself would result in substantial monetary penalties for the State.

Senate File 2317 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Sections 1 – 8 given the potential to put Iowa in non-compliance with the Master Settlement Agreement. I look forward to working with lawmakers to approve legislation that would ensure compliance with the Master Settlement Agreement and not jeopardize these funds.

For the above reasons, I respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2317 are hereby approved as of this date.

Sincerely,
THOMAS J. VILSACK, Governor

CHAPTER 1164

INTERSTATE PRESCRIPTION DRUG PURCHASING COOPERATIVE

H.F. 2192

AN ACT relating to the establishment of a task force to develop an interstate prescription drug purchasing cooperative.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. INTERSTATE PRESCRIPTION DRUG PURCHASING COOPERATIVE — TASK FORCE — REPORT.

1. The Iowa department of public health shall convene a task force to determine the feasibility of establishing an interstate prescription drug purchasing cooperative with other midwestern states.

2. The task force shall consist of all of the following voting members:

- a. The director of public health, or the director's designee.
- b. The director of human services, or the director's designee.
- c. The director of the department of elder affairs, or the director's designee.

- d. The director of the department of management, or the director's designee.
 - e. The director of the department of personnel, or the director's designee.
 - f. Four members of the general assembly.
3. a. The legislative members of the task force shall be appointed by the majority leader of the senate, after consultation with the president of the senate and the minority leader of the senate, and by the speaker of the house of representatives, after consultation with the majority leader and the minority leader of the house of representatives. The legislative appointments shall comply with sections 69.16 and 69.16A.
 - b. Vacancies on the task force shall be filled by the original appointing authority and in the manner of the original appointments.
 4. The task force shall elect a chairperson. A majority of the members of the task force shall constitute a quorum. A majority vote of those members present shall be required for any action of the task force. The Iowa department of public health and the department of human services shall cooperate in providing staffing for the task force.
 5. All of the following shall act as advisors to the task force:
 - a. The chairperson of the board of pharmacy examiners, or the chairperson's designee.
 - b. The chairperson of the board of medical examiners, or the chairperson's designee.
 - c. One person who is a representative of pharmaceutical manufacturers, selected by the pharmaceutical research and manufacturers of America.
 - d. One person who is a representative of the Iowa pharmacy association, selected by the Iowa pharmacy association.
 - e. One person who is a representative of the Iowa medical society, selected by the Iowa medical society.
 6. The task force shall pursue the development of an interstate prescription drug purchasing cooperative through a minimum of the following means:
 - a. Utilizing regional and national entities such as the council of state governments, the national conference of state legislatures, and others in establishing contact with the governors and legislative leaders of other midwestern states.
 - b. Contacting the governors and legislative leaders of other states with existing interstate cooperatives, including the states participating in the southern states coalition purchasing pool, and other interstate cooperatives.
 - c. Contacting industry trade associations whose members are involved in the delivery and reimbursement of state-funded pharmaceutical care.
 7. The task force shall submit bimonthly progress reports of its findings and recommendations regarding the establishment of an interstate prescription drug purchasing cooperative to the oversight committee of the legislative council. The task force shall also submit a final report of its findings and recommendations to the governor and the general assembly no later than December 15, 2002.

Approved May 11, 2002