

## **House Committee on Health and Welfare**

Minutes of Meeting  
2016 Regular Session  
April 6, 2016

### **I. CALL TO ORDER**

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 8:19 a.m. in Room 5, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Lawrence A. "Larry" Bagley  
Representative Kenny R. Cox  
Representative Dodie Horton  
Representative Marcus L. Hunter  
Representative Bob Hensgens  
Representative Katrina R. Jackson  
Representative Mike Johnson  
Representative Robert A. Johnson  
Representative H. Bernard LeBas  
Representative Tanner D. Magee  
Representative Dustin Miller  
Representative Helena N. Moreno  
Representative J. Rogers Pope  
Representative Julie Stokes  
Representative Thomas P. Willmott, vice chairman  
Representative Frank A. Hoffmann, chairman

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Felicie Jackson, secretary  
Brandi Cannon, attorney  
Drew Murray, legislative analyst

**ADDITIONAL ATTENDEES PRESENT:**

Dmitrus McGruder, clerk  
Faye Talbot, sergeant at arms

**III. DISCUSSION OF LEGISLATION****House Bill No. 662 by Representative Barras**

On behalf of Representative Barras, Ms. Allyson Pharr presented House Bill No. 662, which provides for a fee on emergency ground ambulance service providers.

Ms. Allyson Pharr, Acadian Ambulance, Inc., 130 E. Kaliste Saloom, Lafayette, LA, 70508, (337) 291-3304, spoke in support of House Bill No. 662.

Mr. Asbel A. Montes, Acadian Ambulance, Inc., 305 Rue Bordeaux, Carencro, LA, 70520, (337) 291-3310, spoke in support of House Bill No. 662.

Representative Hoffmann offered amendments which:

1. Add provisions prescribing the deposit of the collected fees into the Ground Ambulance Service Provider Trust Fund Account.
2. Add provisions establishing the procedure for changing the fee amount after the first year.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Mike Johnson, LeBas, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Rev. Gerard A. Robinson, Sr., Micah Project, 1255 Louise St, Baton Rouge, LA, 70802, (225) 773-4545, spoke in opposition to House Bill No. 662.

Mr. James Drumgole, Micah Project, no address provided, (225) 642-8797, spoke in opposition to House Bill No. 662.

Representative Hensgens offered a motion to report House Bill No. 662 with amendments. Without objection, House Bill No. 662 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 6 in opposition. Witness cards are included in the committee records.

### **House Bill No. 913 by Representative Carpenter**

Representative Carpenter presented House Bill No. 913, which adds to the membership of the Child Protection Representation Commission.

Representative Jackson offered a motion to report House Bill No. 913 favorably. Without objection, House Bill No. 913 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

There were no witness cards submitted in support, opposition, nor for information.

### **House Bill No. 671 by Representative Moreno**

Representative Moreno presented House Bill No. 671, which provides relative to redispensing of drugs in correctional facility pharmacies.

Representative Moreno offered amendments to revise provisions of present law and proposed law requiring that all drugs dispensed on prescription to offenders in the custody of the Dept. of Public Safety and Corrections, or a local law enforcement office or department, be accepted for return, exchange, or redispensing to provide instead that acceptance of such drugs is permissive rather than mandatory.

Representative Moreno offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Mr. Pete Martinez, Pharmaceutical Research and Manufacturers of America, 830 North St, Baton Rouge, LA, 70802, (225) 379-3232, spoke in support of House Bill No. 671.

Representative Moreno offered amendments to stipulate that a drug which can only be dispensed to a patient registered with the drug's manufacturer in accordance with federal Food and Drug Administration requirements may not be accepted or distributed under the provisions of the program provided for in present law and proposed law.

Representative Moreno offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Moreno offered amendments to revise proposed law authorizing pharmacies operated by or under contract with the Dept. of Public Safety and Corrections, or with a local law enforcement office or department, to accept certain drugs for return, exchange, or redispensing to provide instead that any pharmacies that provide prescriptions to these correctional facilities are authorized to accept drugs for such purposes.

Representative Moreno offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Cox, Horton, Hunter, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Ms. Lynn Junica, Correct Health, 3384 Peachtree Rd NE, Ste 700, Atlanta, GA, 30326, (770) 692-4757, spoke in support of House Bill No. 671.

Representative LeBas offered a motion to report House Bill No. 671 with amendments. Without objection, House Bill No. 671 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Cox, Horton, Hunter, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only.

### **House Bill No. 441 by Representative Jackson**

Representative Jackson presented House Bill No. 441, which provides relative to conditions for physician participation with Medicaid managed care organizations.

Mr. Eric Torres, Louisiana State Board of Medical Examiners, 630 Camp St, New Orleans, LA, 70130, (504) 568-1079, spoke to provide information only on House Bill No. 441.

Representative Jackson offered amendments, which:

1. Delete provisions of proposed law prohibiting managed care organizations from establishing conditions for physician participation that are more restrictive than the conditions for physician participation in the Medicaid program.

2. Add proposed law providing that, with respect to credentialing of a physician whose license is in probationary status pursuant to action by the La. State Board of Medical Examiners, no managed care organization shall terminate participation by that physician in the organization's provider network based solely upon the probationary status of his license or disqualify the physician from initial credentialing based solely upon the probationary status of his license.
3. Add proposed law prohibiting managed care organizations from terminating participation by a physician in a provider network unless such action is taken pursuant to an established peer review process or credentialing committee procedure.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Mr. Charles Castille, Rural Hospital Coalition, 450 Laurel St, Baton Rouge, LA, 70801, (225) 389-9429, spoke in support of House Bill No. 441.

Mr. Jeff Drodza, Louisiana Association of Health Plans, 450 Laurel St, Baton Rouge, LA, 70801, (225) 378-3205, spoke in opposition to House Bill No. 441.

Mr. Dexter Trivett, Amerigroup/Anthem, 450 Laurel St, Baton Rouge, LA, 70801, (504) 836-8884, spoke in opposition to House Bill No. 441.

Representative Hunter offered a motion to report House Bill No. 441 with amendments. Without objection, House Bill No. 441 was reported with amendments by a vote of 9 yeas, 5 nays, and 1 abstention. Representatives Cox, Hunter, Hensgens, Jackson, Robert Johnson, LeBas, Dustin Miller, Moreno, and Willmott voted yea. Representatives Bagley, Horton, Mike Johnson, Magee, and Pope voted nay. Representative Hoffmann abstained.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 3 in opposition. Witness cards are included in the committee records.

*Representative Pope is in the chair.*

### **House Bill No. 618 by Representative Willmott**

Representative Willmott presented House Bill No. 618, which requires a health facility to provide notice of a parent's right to determine the final disposition of fetal remains.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark, Baton Rouge, LA, 70820, (318) 564-4452, spoke in support of House Bill No. 618.

*Representative Hoffmann is in the chair.*

Representative Willmott offered amendments which:

1. Make technical changes.
2. Define "miscarried child".
3. Remove references to stillbirths.
4. Require the Department of Health and Hospitals to promulgate a notice of parental rights form to be used by health facilities.
5. Limit liability for health facilities and persons authorized to act on their behalf.
6. Add an effective date.

Representative Willmott offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

Ms. Leslie Begin, 120 Revere Dr, Mandeville, LA, 70471, (985) 373-3850, spoke in support of House Bill No. 618.

Ms. Rachel Adair, 134 Wisteria Ln, Mandeville, LA, 70448, (985) 869-6400, spoke in support of House Bill No. 618.

Ms. Lise Naccari, Compassionate Burial for Indigent Babies, Inc. (CBIB), 26096 Pichon Rd, Lacombe, LA, 70445, spoke in support of House Bill No. 618.

Representative Willmott provided a handout, Exhibit A, which is included in the committee records.

Ms. Marcella Babcock, 10534 Cal Rd, Baton Rouge, LA, 70809, (225) 296-8109, spoke in support of House Bill No. 618.

Representative Mike Johnson offered a motion to report House Bill No. 618 with amendments. Without objection, House Bill No. 618 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Horton, Hensgens, Mike Johnson, Robert Johnson, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

#### **House Bill No. 474 by Representative Hoffmann**

Representative Hoffmann announced that action on House Bill No. 474, which provides for Medicaid expansion through a demonstration waiver program, is voluntarily deferred.

#### **House Bill No. 106 by Representative Jay Morris**

Representative Hoffmann announced that action on House Bill No. 106, which requires legislative approval of certain changes in Medicaid eligibility standards, is voluntarily deferred.

#### **House Bill No. 394 by Representative Lopinto**

Representative Lopinto presented House Bill No. 394, which authorizes the disclosure of information from a death certificate to law enforcement.

Representative Hensgens offered amendments in the form of a substitute bill. Representative Hensgens offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Pope, Stokes, and Hoffmann voted yea.

Representative Hensgens offered a motion to report House Bill No. 394 by substitute. Without objection, House Bill No. 394 was reported by substitute by a vote of 13 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Pope, Stokes, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

#### **House Bill No. 232 by Representative Stokes**

Representative Stokes presented House Bill No. 232, which adds limitation of liability provisions to the Right To Try Act.

Representative Jackson offered a motion to report House Bill No. 232 favorably. Without objection, House Bill No. 232 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hensgens, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

### **House Bill No. 700 by Representative Stokes**

Representative Stokes presented House Bill No. 700, which provides relative to fees assessed for certain functions performed by the office of public health.

***"This is a continuation of the discussion on House Bill No. 700 from March 30, 2016. Please check for the prior action to complete the record of discussion and motions on House Bill No. 700."***

Mr. Patrick Kerr, Baton Rouge Water Company, P.O. Box 96016, Baton Rouge, LA, 70896, (225) 231-0335, spoke in support of House Bill No. 700.

Ms. Patrice Thomas, Louisiana Legislative Fiscal Office, 900 N 3rd St, Baton Rouge, LA, 70802, (225) 342-7181, spoke for information only on House Bill No. 700.

Dr. Jimmy Guidry, Department of Health and Hospitals, 628 N 4<sup>th</sup> St, Baton Rouge, LA, 70802, (225) 342-9500, spoke for information only on House Bill No. 700.

Representative Stokes provided a handout, Exhibit B, which is included in the committee records.

Mr. Jerry Taylor, Taylor Water Management Company, 12250 Mansfield Rd, Keithville, LA, 71047, (318) 925-2195, spoke for information only on House Bill No. 700.

Mr. John Neilson, DeSoto Parish Waterworks, P.O. Box 1409, Mansfield, LA, 71052, (318) 872-0004, spoke in support of House Bill No. 700.

Representative Stokes offered a motion to report House Bill No. 700 with amendments, to which Representative Pope objected. The secretary called the roll, and House Bill No. 700 was reported with amendments by a vote of 9 yeas, 2 nays, and 1 abstention. Representatives Bagley, Cox, Jackson, Robert Johnson, LeBas, Dustin Miller, Moreno, Stokes, and Willmott voted yea. Representatives Hensgens and Pope voted nay. Representative Hoffmann abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 2 for information only, and 1 in opposition. Witness cards are included in the committee records.



**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 12:50 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann  
House Committee on Health and Welfare

Date adopted:

May 31, 2017