

House Committee on Health and Welfare

Minutes of Meeting
2016 Regular Session
April 20, 2016

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:02 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 Bob Hensgens
Representative Dodie Horton
Representative Marcus L. Hunter
Representative Katrina R. Jackson
Representative Mike Johnson
Representative Robert A. Johnson
Representative H. Bernard LeBas
Representative Tanner D. Magee
Representative Dustin Miller
Representative J. Rogers Pope
Representative Julie Stokes
Representative Thomas P. Willmott, vice chairman
Representative Frank A. Hoffmann, chairman

MEMBERS ABSENT:

Representative Helena N. Moreno

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. 732 by Representative Abramson**

Representative Hoffmann announced that action on House Bill No. 732, which requires all private and public facilities to report psychiatric inpatient and crisis stabilization beds at least once daily, is voluntarily deferred.

House Bill No. 1071 by Representative Jones

Representative Hoffmann announced that action on House Bill No. 1071, which creates the office of state surgeon general, is voluntarily deferred.

Representative Willmott is in the chair.

House Bill No. 606 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 606, which prohibits entities that perform abortions from receiving public funding for any purpose.

Mr. Ben Nevers, Louisiana Office of the Governor, 900 N River Rd, Baton Rouge, LA, 70802, (225) 937-0593, spoke in support of House Bill No. 606.

Ms. Cynthia Collins, Louisiana Abortion Recovery, 550 Gause Blvd, Slidell, LA, 70458, (985) 774-4610, spoke in support of House Bill No. 606.

Mr. Alex Lucas, Brother Martin High School, 252 Soniat Ave, Harahan, LA, 70123, (504) 734-3216, spoke in support of House Bill No. 606.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark, Apt 291, Baton Rouge, LA, 70820, (318) 564-4425, spoke in support of House Bill No. 606. Ms. Wallace provide a handout, Exhibit A, which is included in the committee records.

Representative Hoffmann offered amendments, which stipulate that the prohibition provided in proposed law shall not be construed to restrict funding to an entity that may from time to time perform an abortion when the pregnancy is diagnosed as medically futile, and defines medically futile.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, Mike Johnson, LeBas, Dustin Miller, Pope, Willmott, and Hoffmann voted yea.

Ms. Angela Adkins, National Organization for Women - Baton Rouge Chapter, 14620 Richardson Dr, Greenwell Springs, LA, 70739, (225) 324-0094, spoke in opposition to House Bill No. 606.

Ms. Marcella Babcock, 10534 Cal Rd, Baton Rouge, LA, 70809, (225) 296-8109, spoke in opposition to House Bill No. 606.

Ms. Raegan Carter, Planned Parenthood, P.O. Box 1709, Baton Rouge, LA, 70821, (225) 209-8709, spoke in opposition to House Bill No. 606.

Mr. Darryl Hunt, LA Progress Action Committee, 2375 Wisteria St, Baton Rouge, LA, 70808, (225) 937-4126, spoke in opposition to House Bill No. 606.

Ms. Michelle Erenberg, National Council of Jewish Women, 6221 S Claiborne Ave, New Orleans, LA, 70124, (504) 451-8489, spoke in opposition to House Bill No. 606.

Mr. Richard Mahoney, 1831 Old Plantation Ln, Baton Rouge, LA, 70806, (225) 938-1139, spoke in support of House Bill No. 606.

Ms. Rachel Frederick, 206 Jane Dr, Lafayette, LA, 70508, (337) 277-7684, spoke in support of House Bill No. 606.

Representative Bagley offered a motion to report House Bill No. 606 with amendments. Without objection, House Bill No. 606 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Jackson, Mike Johnson, LeBas, Dustin Miller, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 61 in support and 10 in opposition. Witness cards are included in the committee records.

Representative Hoffmann is in the chair.

House Bill No. 1019 by Representative Edmonds

Representative Edmonds presented House Bill No. 1019, which prohibits abortion based on genetic abnormality.

Dr. Will Hall, Louisiana Baptist Convention, 1250 MacArthur Dr, Alexandria, LA, 71303, (615) 308-3436, spoke in support of House Bill No. 1019.

Mr. Jacob Hall, Louisiana Baptist Convention, 1250 MacArthur Drive, Alexandria, LA, 71303, (615) 308-3436, spoke in support of House Bill No. 1019.

Representative Hoffmann offered amendments, which:

1. Stipulate that for purposes of proposed law, the term "abortion" shall not include an abortion performed when the pregnancy is diagnosed as medically futile.
2. Provide that for purposes of proposed law, "medically futile" means that, in reasonable medical judgment, the unborn child has a profound and irremediable congenital or chromosomal anomaly that is incompatible with sustaining life after birth; and that this diagnosis must be a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

Ms. Dorinda Bordlee, Bioethics Defense Fund, 3312 Cleary Ave, Metairie, LA, 70002, (504) 231-7234, spoke in support of House Bill No. 1019. Ms Bordlee provided a handout, Exhibit B, which is included in the committee records.

Ms. Kathy Allen, Black Advocates for Life, P.O. Box 24106, New Orleans, LA, 70184, (337) 290-9595, spoke in support of House Bill No. 1019.

Mr. Joshua Allen, P.O. Box 24106, New Orleans, LA, 70184, (337) 290-9595, spoke in support of House Bill No. 1019.

Ms. Brandi Melissa, P.O. Box 1171, Baton Rouge, LA, 70821, (225) 223-0277, spoke in support of House Bill No. 1019.

Mr. Gene Mills, LA Family Forum, 655 St Ferdinand St, Baton Rouge, LA, 70802, (225) 344-8533, spoke in support of House Bill No. 1019.

Dr. Damon Cudihy, Acadian OB/GYN, 1211 Coolidge Ave, Ste 403, Lafayette, LA, 70503, (337) 261-5433, spoke in support of House Bill No. 1019.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Jackson, Mike Johnson, LeBas, Dustin Miller, Pope, Willmott, and Hoffmann voted yea.

Mr. Richard Mahoney, 1831 Old Plantation Ln, Baton Rouge, LA, 70806, (225) 938-1139, spoke in support of House Bill No. 1019.

Ms. Megan Snider, 3648 Camp St, New Orleans, LA, 70115, (318) 512-6951, spoke in opposition to House Bill No. 1019.

Representative Horton offered a motion to report House Bill No. 1019 with amendments. Without objection, House Bill No. 1019 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Jackson, Mike Johnson, LeBas, Dustin Miller, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 56 in support and 11 in opposition. Witness cards are included in the committee records.

House Bill No. 1081 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 1081, which provides for the Unborn Child Protection from Dismemberment Abortion Act.

Dr. Damon Cudihy, Acadian OB/GYN, 1211 Coolidge Ave, Ste 403, Lafayette, LA, 70503, (337) 261-5433, spoke in support of House Bill No. 1081.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark, Apt 291, Baton Rouge, LA, 70820, (318) 564-4425, spoke in support of House Bill No. 1081. Ms. Wallace provided a handout, Exhibit C, and included in the committee records.

Mr. Richard Mahoney, 1831 Old Plantation Ln, Baton Rouge, LA, 70806, (225) 938-1139, spoke in support of House Bill No. 1081.

Ms. Brandi Melissa, P.O. Box 1171, Baton Rouge, LA, 70821, (225) 223-0277, spoke in support of House Bill No. 1081.

Ms. Rachel Frederick, 206 Jane St, Lafayette, LA, 70508, (337) 277-7684, spoke in support of House Bill No. 1081.

Ms. Michelle Erenberg, National Council of Jewish Women, 6221 S Claiborne Ave, New Orleans, LA, 70124, (504) 451-8489, spoke in opposition to House Bill No. 1081.

Ms. Ellie Schilling, 909 Poydras St, New Orleans, LA 70112, (504) 680-6058, spoke in opposition to House Bill No. 1081.

Ms. Megan Snider, 3648 Camp St, New Orleans, LA, 70115, (318) 512-6951, spoke in opposition to House Bill No. 1081.

Representative Willmott is in the chair.

Representative Hoffmann is in the chair.

Ms. Sara Ratcliffe, Catholics for Choice, 1436 U St NW, Ste 301, Washington, DC, 20009-3997, (202) 986-6093, spoke in opposition to House Bill No. 1081.

Ms. Marcella Babcock, 10534 Cal Rd, Baton Rouge, LA, 70809, (225) 296-8109, spoke in opposition to House Bill No. 1081.

Mr. Adam Conque, Catholic Radio for Acadiana, P.O. Box 657, Carencro, LA, 70520, (337) 258-9414, spoke in support of House Bill No. 1081.

Representative Cox offered a motion to report House Bill No. 1081 favorably. Without objection, House Bill No. 1081 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Jackson, Mike Johnson, Robert Johnson, LeBas, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 74 in support and 8 in opposition. Witness cards are included in the committee records.

House Bill No. 557 by Representative Jay Morris

Representative Jay Morris presented House Bill No. 557, which provides for the licensing of acupuncturists.

Ms. Valerie Viosca, Acupuncture Association of Louisiana, 2940 Canal St, New Orleans, LA, 70119, (504) 717-5111, spoke in support of House Bill No. 557.

Representative Cox offered a motion to report House Bill No. 557 favorably. Without objection, House Bill No. 557 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Cox, Hensgens, Horton, Jackson, Robert Johnson, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 1 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 496 by Representative Jay Morris

Representative Jay Morris presented House Bill No. 496, which provides for the practice of acupuncture.

Ms. Valerie Viosca, Acupuncture Association of Louisiana, 2940 Canal St, New Orleans, LA, 70119, (504) 717-5111, spoke in support of House Bill No. 496.

Mr. Eric D. Torres, Louisiana State Medical Board of Examiners, 630 Camp St, New Orleans, LA, 70130, (504) 568-1079, spoke for information only on House Bill No. 496.

Representative Dustin Miller offered a motion to report House Bill No. 496 favorably. Without objection, House Bill No. 496 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Cox, Hensgens, Horton, Mike Johnson, Robert Johnson, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards of individuals who did not speak are as follows: 9 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 815 by Representative Stokes

Representative Stokes presented House Bill No. 815, which prohibits post-abortion harvesting of fetal remains and requires burial or cremation of such remains.

Mr. Ryan Verret, Louisiana Right to Life, 7121 Catina St, New Orleans, LA, 70124, (337) 257-3029, spoke in support of House Bill No. 815.

Ms. Dorinda C. Bordlee, Bioethics Defense Fund, 3312 Cleary Ave, Metairie, LA, 70002, (504) 231-7234, spoke in support of House Bill No. 815.

Ms. Marcella Babcock, 10534 Cal Rd, Baton Rouge, LA, 70809, (225) 296-8109, spoke in opposition to House Bill No. 815.

Representative Robert Johnson offered a motion to report House Bill No. 815 favorably. Without objection, House Bill No. 815 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Hensgens, Robert Johnson, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did speak are as follows: 55 in support and 7 in opposition. Witness cards are included in the committee records.

House Bill No. 123 by Representative Pierre

Representative Pierre presented House Bill No. 123, which requires high schools to keep automated external defibrillators on their premises.

Mr. Gerard White, Louisiana Athletic Trainers, P.O. Box 80053, Thibodaux, LA, 70301, no phone number provided, spoke in support of House Bill No. 123.

Mr. Clint Braud, Acadian Ambulance, 38097 Cove Ct, Prairieville, LA, 70769, (225) 715-7651, spoke in support of House Bill No. 123.

Representative Hoffmann offered amendments, which makes technical changes and repeals present law requiring any person or entity that possesses an AED to notify the bureau of emergency medical services of the Department of Health and Hospitals of the acquisition, location, and type of AED.

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, Hensgens, Horton, Mike Johnson, Robert Johnson, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Dustin Miller offered amendments, which provide that the requirement for each high school to have an automated external defibrillator on its premises shall become operative and enforceable on January 1, 2018.

Representative Dustin Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Mike Johnson, Robert Johnson, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Magee offered a motion to report House Bill No. 123 with amendments. Without objection, House Bill No. 123 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Mike Johnson, Robert Johnson, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did speak are as follows: 12 in support. Witness cards are included in the committee records.

Representative Willmott is in the chair.

House Bill No. 934 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 934, which provides relative to judicial review of administrative decisions rendered by the La. State Board of Dentistry.

Mr. Johnny Koch, Louisiana Dental Association, 8440 Jefferson Hwy, Baton Rouge, LA, 70809, (225) 929-7033, spoke in support of House Bill No. 934.

Mr. Ward Blackwell, Louisiana Dental Association, 7833 Office Park Blvd, Baton Rouge, LA, 70809, (225) 926-1986, spoke in support of House Bill No. 934.

Representative Robert Johnson offered a motion to report House Bill No. 934 favorably. Without objection, House Bill No. 934 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Mike Johnson, Robert Johnson, Magee, Dustin Miller, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did speak are as follows: 2 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 34 by Representative Hoffmann

Representative Hoffmann presented House Concurrent Resolution No. 34, which requests completion of a study regarding continuing contact by parents and other relatives with children in need of care.

Representative Hoffmann offered a motion to report House Concurrent Resolution No. 34 favorably. Without objection, House Concurrent Resolution No. 34 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Mike Johnson, Robert Johnson, Magee, Dustin Miller, Stokes, Willmott, and Hoffmann voted yea.

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

House Bill No. 792 by Representative Adams

Representative Adams presented House Bill No. 792, which provides relative to the regulation of massage therapists.

Representative Hoffmann is in the chair.

Ms. Cheryl McCormick, American Massage Therapy Association, 763 North St, Baton Rouge, LA, 70802, (225) 387-5960, spoke in support of House Bill No. 792.

Mr. John C. Miller, Louisiana Board of Massage Therapy, 445 North Blvd, Baton Rouge, LA, 70821, (225) 383-4703, spoke for information only on House Bill No. 792.

Representative Horton offered amendments, which:

1. Make technical changes and corrections.
2. Require at least half of the required continuing education hours to consist of board-approved, in-class supervised training.

3. Clarify that proposed law applies to applicants seeking licensure via the transfer of an existing out-of-state license.
4. Delete the requirement that the national exam be passed within two years from date of application.
5. Require an applicant to present an original form of identification instead of a copy.
6. Provide examples of an approved English language proficiency test.
7. Increase the time limit for the initial inspection of an establishment from 45 days to 60 days.
8. Authorize the practice of massage therapy by nonlicensed persons if the massage services are provided in massage clinics during the course of massage therapy education and training approved by the board.
9. Require the board to seek an injunction against violators.
10. Limit the applicable time period which requires a person licensed during that time to show proof of qualification prior to renewal.
11. Require the board to timely promulgate administrative rules.
12. Make proposed law effective upon signature of the governor.

Representative Horton offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Mike Johnson, Magee, Dustin Miller, Stokes, Willmott, and Hoffmann voted yea.

Representative Hensgens offered a motion to report House Bill No. 792 with amendments. Without objection, House Bill No. 792 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Mike Johnson, Magee, Dustin Miller, 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. 258 by Representative Mike Johnson

Representative Hoffmann announced that action on House Bill No. 258, which provides relative to grounds and procedures for denial or revocation of Medicaid provider enrollment and eligibility for health facility licensure, is voluntarily deferred.

House Bill No. 718 by Representative Hunter

Representative Hoffmann announced that action on House Bill No. 718, which requires certain licensed medical facilities to be equipped with backup generators, is voluntarily deferred.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:03 p.m.
Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted:

May 31, 2017