

House Committee on Health and Welfare

Minutes of Meeting
2016 Regular Session
April 27, 2016

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:00 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 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:

Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 421 by Representative Amedee**

Representative Hoffmann announced that action on House Bill No. 421 by Representative Amedee, which prohibits the state from waiving SNAP work requirements for able-bodied adults without dependents absent legislative authorization, is voluntarily deferred.

House Bill No. 699 by Representative Stokes

Representative Hoffmann announced that action on House Bill No. 699 by Representative Stokes, which revises fee amounts for facilities and providers licensed by the Dept. of Health and Hospitals, is voluntarily deferred.

House Bill No. 980 by Representative Broadwater

Representative Hoffmann announced that action on House Bill No. 980 by Representative Broadwater, which provides relative to the medical assistance program of the state, is voluntarily deferred.

The committee recessed at 9:02 a.m. The committee reconvened at 9:13 a.m.

Representative Willmott is in the chair.

House Concurrent Resolution No. 86 by Representative Hoffmann

Representative Hoffmann presented House Concurrent Resolution No. 86, which creates a study group to make recommendations concerning the prospective establishment of an independent health professions scope of practice review committee.

Representative Mike Johnson offered a motion to report House Concurrent Resolution No. 86 favorably. Without objection, House Concurrent Resolution No. 86 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 1054 by Representative Hunter

Representative Hunter presented House Bill No. 1054, which provides relative to prescribing of controlled dangerous substances.

Ms. Wendy Reilly, HID Global, 611 Center Ridge Dr, Austin, TX, 78753, (512) 998-3154, spoke in support of House Bill No. 1054. Ms. Reilly provided a handout, Exhibit A, which is included in the committee records.

Mr. Darwin M. Rivera-Ortiz, HID Global, 611 Center Ridge Dr, Austin, TX, 78753, (571) 278-0146, spoke in support of House Bill No. 1054.

Mr. Malcolm Brossard, Louisiana Board of Pharmacy, 3388 Brentwood Dr, Baton Rouge, LA, 70809, (225) 925-6481, spoke for information only on House Bill No. 1054.

Representative Hunter offered a motion to report House Bill No. 1054 favorably, to which Representative LeBas objected. The secretary called the roll, and the motion failed to pass by a vote of 5 yeas and 6 nays. Representatives Cox, Hunter, Jackson, Dustin Miller, and Moreno voted yea. Representatives Bagley, Horton, Mike Johnson, LeBas, Pope, and Willmott voted nay.

Representative Hunter offered a motion to voluntarily defer action on House Bill No. 1054. Without objection, action on House Bill No. 1054 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Jackson, Mike Johnson, LeBas, Dustin Miller, Moreno, Pope, and Willmott voted yea.

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

House Bill No. 718 by Representative Hunter

Representative Hunter presented House Bill No. 718, which requires certain licensed medical facilities to be equipped with backup generators.

Representative Hunter offered a motion to voluntarily defer action on House Bill No. 718. Without objection, action on House Bill No. 718 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Jackson, Mike Johnson, LeBas, Dustin Miller, Moreno, Pope, and Willmott voted yea.

House Bill No. 920 by Representative Talbot

Representative Willmott announced that action on House Bill No. 920, which provides relative to eligibility for a license to produce or dispense therapeutic marijuana, is voluntarily deferred.

House Bill No. 946 by Representative Connick

Representative Willmott announced that action on House Bill No. 946, which provides relative to the investigation and adjudication of complaints against physicians, is voluntarily deferred.

House Bill No. 995 by Representative Jones

Representative Jones presented House Bill No. 995, which increases the safe drinking water administration fee.

Representative Pope offered amendments, which made technical changes, designated the fee as the "Safe Drinking Water Fee", and dedicated the proceeds of the fee to certain uses.

Representative Pope 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, Hunter, Jackson, Mike Johnson, Magee, Dustin Miller, Moreno, Pope, and Willmott voted yea.

Representative Pope offered a motion to involuntarily defer action on House Bill No. 995. After discussion Representative Pope withdrew the motion.

Representative Cox offered a motion to report House Bill No. 995 with amendments, to which Representative Pope objected. The secretary called the roll, and House Bill No. 995 was reported with amendments by a vote of 9 yeas and 4 nays. Representatives Cox, Hunter, Jackson, Robert Johnson, LeBas, Magee, Dustin Miller, Moreno, and Willmott voted yea. Representatives Bagley, Horton, Mike Johnson, and Pope voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 1112 by Representative James

Representative James presented House Bill No. 1112, which establishes the Louisiana Therapeutic Use of Cannabis Act.

Representative Hunter offered amendments, which:

1. Provide that an appeal of a decision by the Department of Health and Hospitals, Department of Agriculture, or Louisiana Board of Pharmacy shall be in accordance with the Administrative Procedure Act.
2. Authorize the Department of Health and Hospitals to promulgate rules to establish reasonable application and renewal fees for registration and certification of cannabis

testing facilities with a maximum of \$5,000, the total sum of which is no greater than the costs of processing applications, inspecting testing facilities, and issuing certificates.

Representative Hunter 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, Hunter, Jackson, Mike Johnson, LeBas, Magee, Dustin Miller, and Willmott voted yea.

Representative Cox offered amendments, which:

1. Require the Department of Agriculture to give priority to the LSU Agricultural Center and the Southern University Agricultural Center, either separately or jointly, if either center applies or both centers apply for a registration to operate as a therapeutic cannabis manufacturer.
2. Require the Louisiana Board of Pharmacy to give priority to any applicant who satisfies certain enumerated criteria when granting registrations to operate as a therapeutic cannabis dispensary.

Representative Cox offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Jackson, Mike Johnson, LeBas, Dustin Miller, and Willmott voted yea.

Ms. Karen O'Keefe, Marijuana Policy Project, 2370 Chadian NW #12, Washington, DC, 20009, (323) 568-1078, spoke in support of House Bill No. 1112.

Mr. David Brown, Sensible Marijuana Policy for Louisiana, P.O. Box 14272, Baton Rouge, LA, 70898, (225) 255-1030, spoke in support of House Bill No. 1112. Mr. Brown submitted a handout, Exhibit B, which is included in the committee records.

Representative Hoffmann is in the chair.

Mr. Jacob Irving, 2149 Stonehenge Ave, Baton Rouge, LA, 70820, (225) 485-3043, spoke in support of House Bill No. 1112.

Ms. Michelle Hall, Simple Marijuana Policy for Louisiana (SMPL), 4572 Gold Medal Pt, Colorado Springs, CO, 80923, (337) 718-3778, spoke in support of House Bill No. 1112.

Ms. Annette DeRouen, SMPL, 103 Grace St, Lafayette, LA, 70504, no phone number provided, spoke in support of House Bill No. 1112.

Ms. Katie Mayers, SMPL, 1630 Rue Du Belier, Lafayette, LA, 70506, (337) 254-5022, spoke in support of House Bill No. 1112.

Ms. Patricia Trahan, SMPL, 1108 S. Larriviere Rd, Youngsville, LA, 70592, (337) 856-5104, spoke in support of House Bill No. 1112.

Mr. Larry Rooker, SMPL, 153 Anacoco St, Anacoco, LA, 71403, (337) 208-5042, spoke in support of House Bill No. 1112.

Ms. Sylvia Madajewski, SMPL, 5303 Shoreline Rd, New Iberia, LA, 70563, (337) 256-8052, spoke in support of House Bill No. 1112.

Mr. Jared Loftus, 2108 Cedardale Ave, Baton Rouge, LA, 70808, no phone number provided, jared@collegedistrict.com, spoke in support of House Bill No. 1112.

Mr. Troy Babineaux, Team Ella Grace/U.S. Veterans, 149 Taylor Rd, Anacoco, LA, 71403, (337) 392-5969, spoke in support of House Bill No. 1112.

Ms. Tammy Mock, Vernon Foster Parent Association, 81 Hagan Loop, Leesville, LA, 71446, (337) 208-7026, spoke in support of House Bill No. 1112.

Representative Jackson offered a motion to voluntarily defer action on House Bill No. 1112. Without objection, action on House Bill No. 1112 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Jackson, Mike Johnson, LeBas, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 13 in support, 19 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 718 by Representative Stokes

Representative Hoffmann announced that action on House Bill No. 718, which provides relative to the Medicaid recovery audit contractor program, is voluntarily deferred.

House Bill No. 920 by Representative Talbot

Representative Hoffmann announced that action on House Bill No. 920, which provides relative to eligibility for a license to produce or dispense therapeutic marijuana, is voluntarily deferred.

House Bill No. 946 by Representative Connick

Representative Hoffmann announced that action on House Bill No. 946, which provides relative to the investigation and adjudication of complaints against physicians, is voluntarily deferred.

House Bill No. 790 by Representative Leger

Representative Hoffmann announced that action on House Bill No. 790, which provides for implementation of a Medicaid managed long term services and supports system, is voluntarily deferred.

House Bill No. 922 by Representative Hensgens

Representative Hensgens presented House Bill No. 922, which revises provider fees assessed on nursing homes by the Department of Health and Hospitals.

Mr. Joe Donchess, Louisiana Nursing Home Association, 7844 Office Park Blvd, Baton Rouge, LA, 70809, (225) 927-5642, spoke in support of House Bill No. 922.

Representative Hoffmann offered a motion to report House Bill No. 922 favorably. Without objection, House Bill No. 922 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Mike Johnson, LeBas, Dustin Miller, Moreno, Pope, Willmott, 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. 1007 by Representative Moreno

Representative Moreno presented House Bill No. 1007, which provides relative to the storing and dispensing of naloxone and other opioid antagonists.

Representative Moreno offered amendments, which authorize a licensed pharmacist to dispense naloxone or another opioid antagonist without a prescription and to make technical changes.

Representative Moreno 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, Hensgens, Horton, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

Representative Willmott offered a motion to report House Bill No. 1007 with amendments. Without objection, House Bill No. 1007 was reported with amendments by a vote of 11 yeas and 0 nays.

Representatives Bagley, Hensgens, Horton, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 17 in support and 1 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 77 by Representative Montoucet

Representative Montoucet presented House Concurrent Resolution No. 77, which directs the Dept. of Health and Hospitals to evaluate and report on prospective models for improving care management in the Bayou Health program.

Representative LeBas offered a motion to report House Concurrent Resolution No. 77 favorably. Without objection, House Concurrent Resolution No. 77 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

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

House Bill No. 1029 by Representative Montoucet

Representative Montoucet presented House Bill No. 1029, which authorizes the assessment of a provider fee on Medicaid managed care organizations.

Representative Hoffmann offered a motion to voluntarily defer action on House Bill No. 1029. Without objection, action on House Bill No. 1029 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

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

IV. OTHER BUSINESS

There was no other business to discuss.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 1:44 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted:

May 31, 2017