

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

Minutes of Meeting  
2017 Regular Session  
April 26, 2017

### **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.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Lawrence A. "Larry" Bagley  
Representative Charles R. Chaney  
Representative Kenny R. Cox  
Representative Dodie Horton  
Representative Marcus L. Hunter  
Representative Katrina R. Jackson  
Representative Robert A. Johnson  
Representative H. Bernard LeBas  
Representative Helena N. Moreno  
Representative J. Rogers Pope  
Representative Jerome Richard  
Representative Joseph A. Stagni  
Representative Julie Stokes  
Representative Bob Hensgens, vice chairman  
Representative Frank A. Hoffmann, chairman

#### **MEMBERS ABSENT:**

Representative Dustin Miller

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

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

**ADDITIONAL ATTENDEES PRESENT:**

Faye Talbot, sergeant at arms

Latricia Davis, clerk

**III. DISCUSSION OF LEGISLATION****House Bill No. 341 by Representative D. Miller**

Representative Hoffmann announced that action on House Bill No. 341, which amends laws relative to behavioral health and mental health to provide for current practice and appropriate terminology, was voluntarily deferred.

**House Bill No. 395 by Representative D. Miller**

Representative Hoffmann announced that action on House Bill No. 395, which amends the procedures for involuntary mental health treatment, was voluntarily deferred.

**House Bill No. 140 by Representative Gregory Miller**

Representative Gregory Miller presented House Bill No. 140, which requires reports to the assessor concerning deaths occurring in the state.

Representative Hensgens offered a motion to report House Bill No. 140 favorably. Without objection, House Bill No. 140 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Horton, LeBas, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

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

**House Bill No. 493 by Representative Magee**

Representative Magee presented House Bill No. 493, which establishes a reinspection fee for facilities and establishments with sanitary code violations.

Representative Hoffmann offered amendments which stipulate that proposed law authorizing a fee to be assessed for a violation which does not constitute a critical item, as defined in proposed law, shall become operative and enforceable on March 1, 2018.

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, Chaney, Cox, Horton, Jackson, Moreno, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Mr. Stan Harris, Louisiana Restaurant Association, 2700 N Arnoult Rd, Metairie, LA 70002, (504) 454-2277, spoke in support of House Bill No. 493.

Representative Stagni offered a motion to report House Bill No. 493 with amendments. Without objection, House Bill No. 493 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Moreno, Richard, Stagni, Hensgens, and Hoffmann voted yea.

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

#### **House Bill No. 402 by Representative Havard**

Representative Havard presented House Bill No. 402, which provides for licensure and regulation of community-based care facilities.

Ms. Cassandra Turner, Chateau Residential Care, LLC, Rancho Vista Blvd, Palmdale, CA 93551, (213) 400-0673, spoke in support of House Bill No. 402.

Representative Jackson offered a motion to report House Bill No. 402 favorably. Without objection, House Bill No. 402 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Moreno, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 1 in opposition, and 0 for information only. Witness cards are included in the committee records.

#### **House Bill No. 245 by Representative Hoffmann**

Representative Hoffmann presented House Bill No. 245, which authorizes a home- and community-based services provider to recoup the cost of a preemployment background check.

Representative Richard offered a motion to report House Bill No. 245 favorably. Without objection, House Bill No. 245 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Moreno, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 1 in opposition, and 0 for information only. Witness cards are included in the committee records.

**House Bill No. 192 by Representative Moreno**

Representative Moreno presented House Bill No. 192, which provides for limitations on the prescribing of opioids.

Mr. Ed Carlson, chief executive officer, Odyssey House Louisiana, provided a handout, Exhibit A, which is included in the committee records.

Representative Moreno offered amendments which require partial refills to be made in accordance with federal 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 Bagley, Chaney, Cox, Horton, Hunter, Jackson, Johnson, Moreno, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Mr. Edward Carlson, Odyssey House, 1125 N. Tonti St, New Orleans, LA 70119, (504) 494-9628, spoke in support of House Bill No. 192.

Dr. David Broussard, Louisiana State Medical Society, 6767 Perkins Rd, Ste 100, Baton Rouge, LA 70808, (225) 763-8500, spoke in support of House Bill No. 192.

Ms. Karen DeSalvo, no address provided, (504) 957-7094, spoke in support of House Bill No. 192.

Representative Bagley offered a motion to report House Bill No. 192 with amendments. Without objection, House Bill No. 192 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Jackson, Johnson, LeBas, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 21 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 490 by Representative Leger**

Representative Leger presented House Bill No. 490, which creates the Advisory Council on Heroin and Opioid Prevention and Education.

Dr. Chaundra Mitchell, Office of Drug Policy, 1201 N 3<sup>rd</sup> St, Ste G-219, Baton Rouge, LA 70803, (225) 342-0424, spoke to provide information only on House Bill No. 490.

Mr. Ed Carlson, chief executive officer, Odyssey House Louisiana, provided a handout, Exhibit B, which is included in committee records.

Representative Hensgens offered amendments which make technical changes.

Representative Hensgens 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, Chaney, Cox, Horton, Johnson, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Representative Hensgens is in the chair.

Representative Hensgens offered amendments which add the executive director of the Louisiana Association of Chiefs of Police or his designee to the Advisory Council.

Representative Hensgens 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, Chaney, Cox, Horton, Johnson, Pope, Richard, Stagni, Stokes, and Hensgens voted yea.

Representative Stagni offered amendments which add the president of the Chiropractic Association of Louisiana or his designee, and the president of the Louisiana Physical Therapy Association or his designee to the Advisory Council.

Representative Stagni 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, Chaney, Cox, Horton, Hunter, Johnson, Pope, Richard, Stagni, Stokes, and Hensgens voted yea.

Representative Richard offered a motion to report House Bill No. 490 with amendments. Without objection, House Bill No. 490 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Hunter, Johnson, Moreno, Pope, Richard, Stagni, Stokes, and Hensgens voted yea.

Witness cards submitted by individuals who did not speak are as follows: 22 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 483 by Representative Jackson**

Representative Jackson presented House Bill No. 483, which provides relative to disclosure of data maintained by the Louisiana Tumor Registry.

Representative Jackson offered amendments which:

1. Grant the office of public health (OPH) legislative authority to operate a cancer investigation and prevention program, subject to availability of funds for this purpose.

2. Provide that the source of monies for the cancer investigation and prevention program may be from any lawful source.
3. Stipulate that OPH shall engage and collaborate with the La. Tumor Registry (tumor registry) and the La. Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates in administering the cancer investigation and prevention program.
4. Provide that the cancer investigation and prevention program shall be conducted in addition to the activities of, and shall not replace or supplant, the Breast Cancer Control Program provided for in present law.
5. Authorize the tumor registry to release aggregate data for geographic areas smaller than the zip code and census tract level if requested by any of the following parties:
  - (a) An elected member of the Legislature of Louisiana.
  - (b) An elected official serving in the executive branch of state government.
  - (c) The secretary of a department of the executive branch of state government.
6. Require the tumor registry to develop and publish on its website a mechanism by which individuals may elect to receive in electronic format notifications and reports.
7. Require that the annual cancer report issued pursuant to present law by the president of the LSU System to the governor, the speaker of the House of Representatives, the president of the Senate, and the legislative committees on health and welfare also be transmitted to the governing body of each parish in the state.
8. Make technical changes.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Chaney, Cox, Horton, Hunter, Jackson, Johnson, LeBas, Moreno, Pope, Richard, Stagni, Stokes, and Hensgens voted yea.

General Russel Honore', Green Army, no address provided, (404) 227-1587, spoke in support of House Bill No. 483.

Ms. Lauren Maniscalco, Louisiana Tumor Registry, 2020 Gravier St, Fl 3, New Orleans, LA 70112, (504) 568-5890, spoke to provide information only on House Bill No. 483.

Representative Jackson offered a motion to report House Bill No. 483 with amendments. Without objection, House Bill No. 483 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Hunter, Jackson, Johnson, Moreno, Pope, Richard, Stagni, Stokes, and Hensgens voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

Representative Hoffmann is in the chair.

### **House Bill No. 586 by Representative Hunter**

Representative Hoffmann announced that action on House Bill No. 586, which requires certain publicly funded healthcare facilities and providers to institute policies relative to continuity of patient care, was voluntarily deferred.

### **House Bill No. 404 by Representative Hensgens**

Representative Hensgens presented House Bill No. 404, which amends the Polysomnographic Practice Act.

Representative Hensgens offered amendments which:

1. Restore present law provisions relative to polysomnographic technicians.
2. Expand the exception to the license requirement for individuals enrolled in certain education programs.
3. Delete the deadline for a notice of intent to be published.
4. Make technical changes.

Representative Hensgens 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, Chaney, Cox, Horton, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Mr. D.W. Hunt, Louisiana Society for Respiratory Care, 2375 Wisteria St, Baton Rouge, LA 70806, (225) 937-4126, spoke to provide information only on House Bill No. 404.

Representative Cox offered a motion to report House Bill No. 404 with amendments. Without objection, House Bill No. 404 was reported with amendments by a vote of 11 yeas and 0 nays.

Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

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

#### **House Bill No. 250 by Representative Pylant**

Representative Pylant presented House Bill No. 250, which authorizes local needle exchange programs.

Ms. DeAnne Gruber, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9500, spoke to provide information only on House Bill No. 250. Ms. Gruber provided a handout, Exhibit C, which is included in the committee records.

Mr. Andrew Tuozzolo, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 250.

Representative Cox offered a motion to report House Bill No. 250 favorably. Without objection, House Bill No. 250 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Mr. Andrew Tuozzolo, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 250.

Witness cards submitted by individuals who did not speak are as follows: 24 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

There was no other business to discuss.

#### **V. ANNOUNCEMENTS**

There were no announcements.



## **VI. ADJOURNMENT**

Representative Bagley offered a motion to adjourn. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

The meeting was adjourned at 11:32 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann  
House Committee on Health and Welfare

Date adopted: