

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

Minutes of Meeting  
2018 Regular Session  
April 4, 2018

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

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:09 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 Katrina R. Jackson  
Representative Robert A. Johnson  
Representative H. Bernard LeBas  
Representative Dustin Miller  
Representative Helena N. Moreno  
Representative J. Rogers Pope  
Representative Joseph A. Stagni  
Representative Julie Stokes  
Representative Bob Hensgens, vice chairman  
Representative Frank A. Hoffmann, chairman

#### **MEMBERS ABSENT:**

Representative Marcus L. Hunter  
Representative Jerome Richard

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

Bethany Blackson, attorney  
Drew Murray, legislative analyst  
Felicie Jackson, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Vivian Hurst, sergeant at arms  
Nevonda Reed, division director  
Faye Talbot, sergeant at arms  
Myrtis Jarrell, sergeant at arms  
Malik Smith, committee clerk

**III. DISCUSSION OF LEGISLATION**

*Representative Hensgens is in the chair.*

**House Bill No. 273 by Representative Hoffmann**

Representative Hoffmann presented House Bill No. 273, which provides relative to post-abortion interment or cremation of human remains.

Representative Hoffmann offered amendments, which require the La. Department of Health to promulgate all rules as are necessary to facilitate the transfer and burial of aborted human remains in a manner consistent with the transfer and burial of unclaimed human remains.

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, Chaney, Horton, Jackson, LeBas, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Liz Murrill, Office of the Attorney General, 1885 N 3<sup>rd</sup> St, Baton Rouge, LA 70802, (225) 326-6007, spoke for information only on House Bill No. 273.

Representative Jackson offered a motion to report House Bill No. 273 with amendments. Without objection, House Bill No. 273 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Jackson, LeBas, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 14 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 338 by Representative Hoffmann**

Representative Hoffmann presented House Bill No. 338, which provides relative to the prohibition on public funding for entities that perform abortions.

Representative Hoffmann offered amendments in the form of a substitute bill. 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, LeBas, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Representative Hoffmann offered a motion to report House Bill No. 338 by substitute. Without objection, House Bill No. 338 was reported by substitute by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

### **House Bill No. 287 by Representative Edmonds**

*Representative Hoffmann is in the chair.*

Representative Edmonds presented House Bill No. 287, which provides relative to laws concerning abortion based on genetic abnormality.

Liz Murrill, Office of the Attorney General, 1885 N 3<sup>rd</sup> St, Baton Rouge, LA 70802, (225) 326-6007, spoke for information only on House Bill No. 287.

Representative Pope offered a motion to report House Bill No. 287 favorably. Without objection, House Bill No. 287 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 449 by Representative Edmonds**

Representative Edmonds presented House Bill No. 449, which enacts the Adoption Option Act providing for information on adoption to be conveyed pursuant to the Woman's Right To Know law.

Dorinda Bordlee, Bioethics Defense Fund, 3312 Cleary Ave, Metairie, LA 70002, (504) 231-7234, spoke for information only on House Bill No. 449.

David Scotton, LABTL, 4616 Craig Ave, Metairie, LA 70003, (504) 258-0906, spoke in support of House Bill No. 449.

Paula Davis, Catholic Charities, 1900 S Acadian Trwy, Baton Rouge, LA 70802, (225) 336-8708, spoke in support of House Bill No 449.

Marketa Walters, Department of Children and Family Services, 627 N. 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-5572, spoke for information only on House Bill No. 449.

Ben Clapper, Louisiana Right to Life, 200 Robert E. Lee Blvd, New Orleans, LA 70124, (504) 228-4273, spoke in support of House Bill No. 449.

Claire Lemoine, Cenla Pregnancy Center, P.O. Box 13907, Alexandria, LA 71315, (318) 314-3066, spoke in support of House Bill No. 449.

Terri Casso, St Elizabeth Foundation, 8054 Summa Ste AB, Baton Rouge, LA 70806, (225) 806-4427, spoke in support of House Bill No. 449.

Representative Johnson offered a motion to report House Bill No. 449 favorably. Without objection, House Bill No. 449 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 12 in support, 2 in opposition, and 0 for information only. Witness cards are included in the committee records.

#### **House Bill No. 640 by Representative Bagley**

Representative Hoffmann announced that action on House Bill No. 640, which requires that oxygen tanks used by nursing home residents be fitted with alarm devices, was voluntarily deferred.

#### **House Bill No. 324 by Representative Foil**

Representative Hoffmann announced that action on House Bill No. 324, which provides relative to the La. State Board of Medical Examiners, was voluntarily deferred.

#### **House Concurrent Resolution No. 19 by Representative Foil**

Representative Foil presented House Concurrent Resolution No. 19, which requests the La. Department of Health to add Severe Combined Immunodeficiency to the state's newborn screening panel.

Representative Foil provided two handouts, Exhibits A and B, which are included in the committee records.

Jason Lewis, 428 Highland Trace, Baton Rouge, LA 70810, (225) 773-9331, spoke in support of House Concurrent Resolution No. 19.

Sydney Nelson, Immune Deficiency Foundation, 333 Lee Drive G17, Baton Rouge, LA 70808, (225) 767-1971, spoke in support of House Concurrent Resolution No. 19.

Representative Stagni offered a motion to report House Concurrent Resolution No. 19 favorably. Without objection, House Concurrent Resolution No. 19 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Johnson, Pope, Stagni, Hensgens, and Hoffmann 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.

### **House Bill No. 462 by Representative Thomas**

Representatives Thomas and Bacala presented House Bill No. 462, which provides for hospital payment reform in the Medicaid program.

Representative Bacala provided a handout, Exhibit C, which is included in the committee records.

Representative Jay Morris, 900 N 3<sup>rd</sup> St, Baton Rouge, LA 70802, spoke in support of House Bill No. 462.

Jeff Reynolds, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9500, spoke for information only on House Bill No. 462. Mr. Reynolds provided a handout, Exhibit D, which is included in the committee records.

Jen Steele, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 462.

Shawn Hotstream, Legislative Fiscal Office, 900 N 3<sup>rd</sup> St, Baton Rouge, LA 70802, (225) 342-7169, spoke for information only on House Bill No. 462.

Jennifer McMahon, Louisiana Hospital Association, 9521 Brookline Ave, Baton Rouge, LA 70809, (225) 928-0026, spoke in opposition to House Bill No. 462.

Greg Waddell, Louisiana Hospital Association, 9521 Brookline Ave, Baton Rouge, LA 70809, (225) 333-0200, spoke in opposition to House Bill No. 462.

Stephen Russo, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 462.

Representative Dustin Miller offered a motion to involuntarily defer action on House Bill No. 462, to which Representative Hoffmann objected and offered a substitute motion to voluntarily defer action on House Bill No. 462. Representative Dustin Miller withdrew his motion to involuntarily defer action on House Bill No. 462. Representative Hoffmann's motion was then taken up. Without objection, action on House Bill No. 462 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, Dustin Miller, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 3 in opposition, and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 492 by Representative Bagley**

Representative Bagley presented House Bill No. 492, which requires that pharmacists report to certain parties when refills of certain psychiatric medications go undispensed.

*Representative Pope is in the chair.*

*Representative Hensgens is in the chair.*

Representative Bagley offered a motion to voluntarily defer action on House Bill No. 492. Without objection, action on House Bill No. 492 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

*Representative Hoffmann is in the chair.*

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 3 in opposition, and 0 for information only. Witness cards are included in the committee records.

### **House Bill No. 548 by Representative Dustin Miller**

Representative Dustin Miller presented House Bill No. 548, which requires, with limited exceptions, that prescribers transmit prescriptions for drugs to pharmacies electronically.

Representative Dustin Miller offered amendments which:

1. Limit mandatory electronic prescriptions to only opioids.
2. Add that any cost, fees, or expenses incurred for the transfer of an electronically transmitted prescription may be charged to the pharmacy, provided the cost, fee, or expense is consistent between every pharmacy in this state.

3. Add that a pharmacy can only be charged once for a medication and only if the prescription is filled.
4. Add that no patient prescription drug information or other information acquired from an electronic prescription or prescription form, may be used for data mining.
5. Add penalties.
6. Add definitions.
7. Make technical changes.

Representative Dustin Miller 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, Horton, Johnson, LeBas, Dustin Miller, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Randal Johnson, Louisiana Independent Pharmacies Association, 543 Spanish Town Rd, Baton Rouge, LA 70802, (225) 308-2030, spoke in support of House Bill No. 548.

Ken Whittemore, Jr., Surescripts, 2800 Crystal Dr, 10<sup>th</sup> Flr, Arlington, VA 22202, (703) 921-2114, spoke in support of House Bill No. 548.

Mary Staples, National Association of Chain Drug Stores, 1560 E Southlake Blvd #23D, Southlake, TX 76092, (817) 442-1155, spoke in support of House Bill No. 548.

Representative LeBas offered amendments which add minimum data requirements in dispensing prescriptions. Representative LeBas 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, LeBas, Dustin Miller, Pope, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Dr. Vincent Culotta, Jr., Louisiana State Board Medical of Examiners, 630 Camp St, New Orleans, LA 70130, (504) 568-6816, spoke for information only on House Bill No. 548.

Dr. David Broussard, Louisiana State Medical Society, 6767 Perkins Rd, Ste 100, Baton Rouge, LA 70808, (225) 763-8500, spoke in opposition to House Bill No. 548.

Jennifer Marusak, Louisiana State Medical Society, 6767 Perkins Rd, Ste 100, Baton Rouge, LA 70808, (225) 763-8500, spoke in opposition to House Bill No. 548.

Dr. Richard Bridges, Louisiana Academy of Family Physicians, 919 Tara Blvd, Baton Rouge, LA 70806, (985) 474-2167, spoke in opposition to House Bill No. 548.

Representative Jackson offered a motion to report House Bill No. 548 with amendments, to which Representative Chaney objected. The secretary called the roll, and House Bill No. 548 was reported with amendments by a vote of 7 yeas and 4 nays. Representatives Cox, Horton, Jackson, LeBas, Dustin Miller, Stagni, and Stokes voted yea. Representatives Chaney, Pope, Hensgens, and Hoffmann voted nay.

**House Bill No. 574 by Representative Miller**

Representative Hoffmann announced that action that House Bill No. 574, which creates the Louisiana Board of Emergency Medical Services, was voluntarily deferred.

**House Bill No. 258 by Representative Garofalo**

Representative Hoffmann announced that action on House Bill No. 258, which provides for a limited exception to the moratorium on additional nursing facilities, was voluntarily deferred.

**House Concurrent Resolution No. 21 by Representative Garofalo**

Representative Hoffmann announced that action on House Concurrent Resolution No. 21, which requests the Department of Children and Family Services to study the expedited process fee paid by child support obligors, was voluntarily deferred.

**House Bill No. 350 by Representative Jay Morris**

Representative Hoffmann announced that action on House Bill No. 350, which provides for a Medicaid hospital payment methodology, was voluntarily deferred.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.



**VI. ADJOURNMENT**

The meeting was adjourned at 1:10 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann  
House Committee on Health and Welfare

Date adopted: