

House Committee on Insurance

Minutes of Meeting
2018 Regular Session
March 28, 2018

I. CALL TO ORDER

Representative Kirk Talbot, chairman of the House Committee on Insurance, called the meeting to order at 9:50 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Kirk Talbot, chairman
Representative Major Thibaut, vice chairman
Representative Mark Abraham
Representative John F. "Andy" Anders
Representative Chad Brown
Representative Robby Carter
Representative Gregory Cromer
Representative Paula P. Davis
Representative Cedric B. Glover
Representative Paul Hollis
Representative Mike Huval
Representative Edmond Jordan
Representative Vincent J. Pierre
Representative Alan Seabaugh

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Brandi Cannon, attorney
Christie L. Russell, secretary

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms
Hunter Sikaffy, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 314 by Representative Anders

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 314, which provides for a minimum rate of reimbursement for rural health clinics. Without objection, action on House Bill No. 314 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Davis, Hollis, Huval, and Seabaugh voted yea.

House Bill No. 439 by Representative Talbot

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 439, which provides relative to insurance claims for air ambulance services. Without objection, action on House Bill No. 439 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Davis, Hollis, Huval, and Seabaugh voted yea.

House Bill No. 194 by Representative Howard

Representative Howard presented House Bill No. 194, which provides a time period after payment of a claim during which an insurer may dispute and recoup the amount paid.

Brenda Lewis, Natchitoches Medical Specialists, 1029 Kuper Avenue, Natchitoches, LA 71457, spoke in support of House Bill No. 194.

Representative Talbot offered amendments to House Bill No. 194, which: 1) Extends the time prior from one year to 18 months; 2) Clarify that present law relative to time limits for reviewing a paid claim is subject to the limitation in proposed law; 3) Specify that the limitation only applies to claims made in good faith and subject to the benefit plan; and 4) Make technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Davis, Hollis, Huval, and Seabaugh voted yea.

Representative Talbot offered a motion to report House Bill No. 194 with amendments. Without objection, House Bill No. 194 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Davis, Hollis, Huval, Pierre, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 460 by Representative Stokes

Representative Stokes presented House Bill No. 460, which provides that mammography examinations may be conducted through digital tomosynthesis.

Jeff Drozda, LAHP, 450 Laurel Street, Suite 1850, Baton Rouge, LA 70801, spoke for information only on House Bill No. 460.

Tommy Teague, Office of Group Benefits, P.O. Box 44836, Baton Rouge, LA 70804, spoke for information only on House Bill No. 460.

Dr. Leonard Bok, Physician, 433 Bolivar Street, New Orleans, LA 71112, spoke in support of House Bill No. 460.

Dr. Ralph Corsetti, Physician, 10013 Sauve Oaks Lane, River Ridge, LA, spoke in support of House Bill No. 460.

Dr. Daniel Rupley, Touro Radiology, 2929 Napoleon Street, New Orleans, LA 70118, spoke in support of House Bill No. 460.

Representative Talbot offered amendments to House Bill No. 460, which changes the requirement to an authorization for the minimum mammography examination to be conducted through digital breast tomosynthesis. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Cromer, Davis, Hollis, Huval, Pierre, and Seabaugh voted yea.

Representative Pierre offered a motion to report House Bill No. 460 with amendments. Without objection, House Bill No. 460 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Talbot, Anders, Chad Brown, Robby Carter, Cromer, Davis, Hollis, Huval, Pierre, and Seabaugh voted yea.

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

House Bill No. 690 by Representative Stokes

Representative Stokes presented House Bill No. 690, which provides for coverage for subsequent preventive tests for certain individuals diagnosed with breast cancer.

Dr. Daniel Rupley, Touro Radiology, 2929 Napoleon Street, New Orleans, LA 70118, spoke in support of House Bill No. 460.

Representative Davis offered a motion to report House Bill No. 690 favorably. Without objection, House Bill No. 690 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Robby Carter, Cromer, Davis, Glover, Hollis, Pierre, and Seabaugh voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 689 by Representative Stokes

Representative Stokes presented House Bill No. 689, which provides for coverage for fertility preservation for individuals diagnosed with cancer.

Rebekah Gee, Louisiana Department of Health, 628 N. 4th Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 689.

Tommy Teague, Office of Group Benefits, P.O. Box 44836, Baton Rouge, LA 70804, spoke for information only on House Bill No. 689.

Dr. Daniel Rupley, Touro Radiology, 2929 Napoleon Street, New Orleans, LA 70118, spoke in support of House Bill No. 689.

Dawn Starns, NFIB, 530 Laurel Street, Baton Rouge, LA 70801, spoke in opposition to House Bill No. 689.

Rob Tasman, La. Conference of Catholic Bishops, 2431 S. Acadian Thruway, Suite 250, Baton Rouge, LA 70808, spoke in opposition to House Bill No. 689.

Representative Davis offered a motion to report House Bill No. 689 favorably, to which Representative Abraham objected. The secretary called the roll, and House Bill No. 689 was reported favorably by a vote of 9 yeas and 3 nays. Representatives Talbot, Thibaut, Chad Brown, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea. Representatives Abraham, Anders, and Cromer voted nay.

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

House Bill No. 607 by Representative Seabaugh

Representative Seabaugh presented House Bill No. 607, which provides relative to the commissioner of insurance's examination and investigation authority.

Arlene Knighten, Department of Insurance, 1702 N. 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 607.

Representative Anders offered amendments which would: 1) Authorize the commissioner to order an investigatory hearing for the purposes of obtain additional information; 2) Provide for the hearing procedure; and 3) Make technical changes. Representative Anders offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Abraham, Anders, Chad Brown, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea.

Representative Seabaugh offered a motion to report House Bill No. 607 with amendments. Without objection, House Bill No. 607 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Talbot, Thibaut, Anders, Chad Brown, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea.

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

House Bill No. 608 by Representative Seabaugh

Representative Seabaugh presented House Bill No. 608, which provides relative to persons subject to the examination authority of the commissioner of insurance.

Jeffrey Zewe, Department of Insurance, 1702 N. 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 608.

Chuck McMains, PCI, 8555 United Plaza Blvd., Baton Rouge, LA 70809, spoke in support of House Bill No. 608.

Representative Seabaugh offered a motion to report House Bill No. 608 favorably. Without objection, House Bill No. 608 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Robby Carter, Davis, Glover, Jordan, Pierre, and Seabaugh voted yea.

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

House Bill No. 609 by Representative Seabaugh

Representative Seabaugh presented House Bill No. 609, which: provides relative to the administration of large deductible policies and collateral.

Warren Byrd, Department of Insurance, 1702 N. 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 609.

Representative Talbot offered amendments to House Bill No. 609, which would 1) Delete proposed law requiring the prorating of payments for claims against the collateral; and 2) Make technical changes.. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Robby Carter, Glover, Jordan, Pierre, and Seabaugh voted yea.

Representative Seabaugh offered a motion to report House Bill No. 609 with amendments. Without objection, House Bill No. 609 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Robby Carter, Glover, Jordan, Pierre, and Seabaugh 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. 522 by Representative Davis

Representative Davis presented House Bill No. 522, which: provides relative to motor vehicle service contracts.

Stephen McDaniel, Service Contract Industry Council, P.O. Box 11247, Tallahassee, FL 32303, spoke in support of House Bill No. 522.

Robert Wooley, Service Contract Industry Council, P.O. Box 11247, Tallahassee, FL 32303, spoke in support of House Bill No. 522.

Representative Davis offered amendments to House Bill No. 522, which would 1) Exempt certain tire and wheel coverage; 2) Define "road hazard"; 3) Require a service contract covering a motor vehicle to contain a statement that the service contract is not insurance regulated by the Dept. of Insurance and that any concerns regarding the service contract shall be directed to the secretary of state; and 4) Delete proposed law relative to the cancellation of reimbursement insurance policies. Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Robby Carter, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea.

Representative Talbot offered amendments to House Bill No. 522, which made technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Talbot, Abraham,

Anders, Chad Brown, Robby Carter, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea.

Representative Davis offered a motion to report House Bill No. 522 with amendments. Without objection, House Bill No. 522 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Robby Carter, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh 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. 369 by Representative Talbot

Representative Talbot presented House Bill No. 369, which: provides for mediation of the settlement of out-of-network health benefit claims involving balance billing.

Ronnell Nolan, HAFA, P.O. Box 65128, Baton Rouge, LA 70896, spoke in favor of House Bill No. 369.

Berkley Durbin, Medicine Louisiana, P.O. Box 45501, Baton Rouge, LA 70895, spoke in opposition to House Bill No. 369.

Joseph Koveliskie, Physician, Louisiana Society of Anesthesiology, 5500 Prytania, New Orleans, LA 70135, spoke in opposition to House Bill No. 369.

Representative Talbot offered amendments to House Bill No. 369, which 1) Remove emergency health care from scope of the bill and 1) Make technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Robby Carter, Cromer, Davis, Glover, Hollis, Jordan, Pierre, and Seabaugh voted yea.

Representative Cromer offered a motion to voluntarily defer action on House Bill No. 369. Without objection, action on House Bill No. 369 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Robby Carter, Cromer, Davis, Glover, Hollis, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 30 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 12:44 p.m.

Respectfully submitted,

Chairman Kirk Talbot
House Committee on Insurance

Date adopted: