

House Committee on Health and Welfare

Minutes of Meeting
2019 Regular Session
May 1, 2019

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:01 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Frank A. Hoffmann, chairman
Representative Lawrence A. "Larry" Bagley
Representative Charles R. Chaney
Representative Kenny R. Cox
Representative Katrina R. Jackson
Representative Robert A. Johnson
Representative H. Bernard LeBas
Representative Wayne McMahan
Representative Dustin Miller, vice chairman
Representative Patricia "Pat" Moore
Representative J. Rogers Pope
Representative Joseph A. Stagni
Representative Julie Stokes
Representative Christopher Turner

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Ty Marchand, attorney
Drew Murray, legislative analyst
Felicie Jackson, secretary

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Danny Leming, sergeant at arms
Chris Butler, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 535 by Representative Glover**

Representative Hoffmann announced that House Bill No. 535 by Representative Glover, which allows nonprofit entities the ability to perform dental services at mobile dental clinics, is voluntarily deferred.

Representative Miller is in the chair.

House Bill No. 169 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 169, which authorizes a data system for collection of information on health effects and outcomes associated with medical marijuana.

Dr. Vincent Culotta, Louisiana State Board of Medical Examiners, 630 Camp St, New Orleans, LA 70130, (504) 905-2719, spoke for information only on House Bill No. 169.

Representative Cox offered a motion to report House Bill No. 169 favorably. Without objection, House Bill No. 169 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 526 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 526, which prohibits the imposition of prior authorization requirements in Medicaid managed care organizations for certain prescription medications used in treating opioid use disorder.

Representative Hoffmann offered amendments which:

1. Prohibit managed care organizations from restricting the prescribing of any medication by prescriber type speciality.

2. Require at least two formulations of buprenorphine/naloxone to be on the La. Medicaid Preferred Drug List.
3. Amend proposed law by changing the list that formulations of buprenorphine/naloxone are required to appear on the Louisiana Medicaid fee-for-service preferred drug list and the Healthy Louisiana Common Preferred Drug List to Louisiana Medicaid Common Preferred Drug List.
4. Amend proposed law by eliminating the requirement that any exclusion for coverage for any prescription medication be approved by the United States Food and Drug Administration for any associated counseling or wraparound services on the grounds the services were court ordered.

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, Hoffmann, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, and Turner voted yea.

Kevin Hayes, Orexo, 412 N 4th St, Baton Rouge, LA 70802, 225-268-2725, spoke in support of House Bill No. 526.

Dr. Ken Roy, Addiction Medicine & Psychiatry, 4824 Cleary Ave, Metairie, LA 70002, (504) 453-7598, spoke in support of House Bill No. 526.

Andrew Whitacre, The Pew Charitable Trusts, 907 E St NW, Washington, DC 20001, (202) 738-3499, spoke for information only on House Bill No. 526.

Jen Steele, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 526.

Representative LeBas offered a motion to report House Bill No. 526 with amendments. Without objection, House Bill No. 526 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, Jackson, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, and Turner voted yea.

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

House Bill No. 284 by Representative Abraham

Representative Abraham presented House Bill No. 284, which provides relative to prescribing and dispensing of opioid drugs.

Representative Miller offered amendments which:

1. Delete provisions of proposed law that duplicate present law requiring that the quantity of a prescription drug be indicated on a prescription order.
2. Delete proposed law providing that failure by a medical practitioner to comply with proposed law shall be deemed unauthorized practice and a violation of the practitioner's practice standard, and shall subject the practitioner to disciplinary action by the health profession licensing board which issues his license.
3. Provide that if a pharmacist fails to dispense the prescribed amount of an opioid drug, he shall notify the prescriber within 24 hours.
4. Revise proposed law providing that failure by a pharmacist to comply with proposed law shall subject him to disciplinary action by the La. Board of Pharmacy to provide, instead, that the board may take disciplinary action in such cases.
5. Delete proposed law stipulating that proposed law shall not apply when a pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by federal regulation.
6. Provide that if a pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by federal regulation, he shall notify the prescriber within 24 hours.

Representative Hoffmann is in the chair.

Representative Stagni 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, Chaney, Cox, Hoffmann, Jackson, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Stagni, and Turner voted yea.

Cindy Bishop, Louisiana Orthopedic Association, P.O. Box 80053, Baton Rouge, LA 70898, spoke in support of House Bill No. 284.

Malcolm Broussard, Board of Pharmacy, 3388 Brentwood Dr, Baton Rouge, LA 70809, (225) 925-6481, spoke for information only on House Bill No. 284.

Representative Stagni offered a motion to report House Bill No. 284 with amendments, to which Representative Bagley objected. The secretary called the roll, and House Bill No. 284 was reported with amendments by a vote of 8 yeas and 2 nays. Representatives Cox, Hoffmann, Jackson,

McMahen, Dustin Miller, Moore, Stagni, and Turner voted yea. Representatives Bagley and Robert Johnson voted nay.

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

House Bill No. 204 by Representative Pierre

Representative Pierre presented House Bill No. 204, which provides relative to Medicaid provider fees assessed on nonpublic providers of emergency ground ambulance services.

Allyson Pharr, Acadian Ambulance, 130 Kaliste Saloom, Lafayette, LA 70508, (337) 291-3304, spoke in support of House Bill No. 204.

Scott Guidry, Acadian Ambulance, 2916 N University Ave, Lafayette, LA 70508 (337) 501-9657, spoke in support of House Bill No. 204.

Representative Stagni offered a motion to report House Bill No. 204 favorably. Without objection, House Bill No. 204 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Bagley, Hoffmann, Jackson, Robert Johnson, McMahan, Dustin Miller, Moore, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 276 by Representative Robert Johnson

Representative Robert Johnson presented House Bill No. 276, which grants advanced practice registered nurses signature authority on matters within their scope of practice.

Kathy Baldrige, Louisiana Association of Nurse Practitioners, 105 Vit Rd, Pineville, LA 71360, (318) 201-4690, spoke in support of House Bill No. 276.

Jeff Williams, Louisiana State Medical Society, 6767 Perkins Rd, Baton Rouge, LA 70808, (225) 765-2315, spoke in opposition to House Bill No. 276.

Dr. Richard Bridges, Louisiana Association of Family Practitioners, 705 Sherri Dr, Amite, LA 70422, (985) 474-2169, spoke in opposition to House Bill No. 276.

Dr. Sonia Malhotra, 329 36th St, New Orleans, LA 70124, (714) 609-0813, spoke in opposition to House Bill No. 276.

Dr. Ann Logarbo, American Academy of Pediatrics, P.O. Box 64629, Baton Rouge, LA 70896, (225) 379-7923, spoke in opposition to House Bill No. 276.

Jennifer Wright, Louisiana State Board of Nursing, 17373 Perkins Rd, Baton Rouge, LA 70810, (225) 755-7518, spoke for information only on House Bill No. 276.

Karen Lyon, Louisiana State Board of Nursing, 17373 Perkins Rd, Baton Rouge, LA 70810, (225) 755-7576, spoke for information only on House Bill No. 276.

Representative Cox offered a motion to report House Bill No. 276 favorably, to which Representative Jackson objected. The secretary called the roll, and House Bill No. 276 was reported favorably by a vote of 11 yeas and 2 nays. Representatives Bagley, Chaney, Cox, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Stagni, Stokes, and Turner voted yea. Representatives Jackson and Hoffmann voted nay.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 14 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 434 by Representative Magee

Representative Magee presented House Bill No. 434, which provides relative to definitions, policies, and procedures of Medicaid managed care organizations.

Representative LeBas is in the chair.

Representative Hoffmann is in the chair.

Greg Waddell, Louisiana Hospital Association, 9521 Brookline Ave, Baton Rouge, LA 70809, (225) 928-0026, spoke in support of House Bill No. 434.

Jen Steele, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 434.

Representative Jackson offered amendments which:

1. Requires the Louisiana Department of Health to approve policies or procedures proposed by a managed care organization in accordance with law, regulation, or a contract after the expiration of the required public notice period.
2. Add the requirement that any policy or procedure change made by a managed care organization be submitted to the Louisiana Department of Health for approval within a given time frame for approval.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Jackson, McMahan, Moore, Stagni, and Hoffmann voted yea.

Representative Jackson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, Jackson, McMahan, Moore, and Stagni voted yea.

Representative Jackson offered amendments which make technical changes. Representative Jackson 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, Hoffmann, Jackson, McMahan, Moore, Stagni, and Stokes voted yea.

Representative Cox offered a motion to report House Bill No. 434 with amendments. Without objection, House Bill No. 434 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, Jackson, McMahan, Moore, Stagni, Stokes, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 28 in support, 3 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 177 by Representative Pugh

Representative Pugh presented House Bill No. 177, which provides relative to certificates of stillbirth.

Representative Hoffmann offered a motion to report House Bill No. 177 favorably. Without objection, House Bill No. 177 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, McMahan, Moore, Stagni, Stokes, and Turner voted yea.

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

House Bill No. 409 by Representative Franklin

On behalf of Representative Franklin, Cassandra Smith, OPS Family Care, P.O. Box 1831, Gretna, LA 70054, (504) 684-8410, presented House Bill No. 409, which prohibits Medicaid managed care organizations from denying opportunities to behavioral health services providers for enrollment in provider networks. She provided a handout, a fact sheet on Medicaid, Exhibit A, which is included in the committee records.

Senator Edward Price, Senate District 2, 2109 S Burnside Ave, Ste C, Gonzales, LA 70737, a coauthor, spoke in support of House Bill No. 409.

Chanara Pouncy, 4615 Monkhouse Dr, #116, Shreveport, LA 71109, (318) 670-7461, spoke in support of House Bill No. 409.

Karen Stubbs, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 409.

Jen Steele, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only House Bill No. 409.

Representative Turner offered a motion to report House Bill No. 409 without action, and recommit to the Committee on Appropriations, to which Representative Jackson objected.

Representative Jackson offered a substitute motion to report House Bill No. 409 favorably. Without objection, House Bill No. 409 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Chaney, Jackson, Robert Johnson, McMahan, Dustin Miller, Moore, Stagni, Stokes, Turner, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 8 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 358 by Representative James

Representative James presented House Bill No. 358, which provides relative to marijuana for therapeutic use.

Jesse McCormick, Louisiana Association of Therapeutic Alternatives, 532 Spanish Town Rd, Baton Rouge, LA 70802, (225) 202-1875, spoke in support of House Bill No. 358.

Gary P. Hess, 1038 5th St, Gretna, LA 70053, (504) 330-0687, spoke in support of House Bill No. 358.

Brianna Hardy, 1038 5th St, Gretna, LA 70053, (707) 373-1023, spoke in support of House Bill No. 358.

Representative Kenny Cox, House District 23, 300 High School Rd, Mansfield, LA 71057, (903) 330-0497, spoke in support of House Bill No. 358.

Dr. Victor Chou, 12011 Bricksome Ave, Ste D, Baton Rouge, LA 70816, (225) 800-3162, spoke in support of House Bill No. 358.

Dr. Gregory Ward, Louisiana Inst Pays Med, 10627 Hillary Ct, Baton Rouge, LA 70810, (225) 766-1616, spoke in support of House Bill No. 358.

Representative Miller is in the chair.

Dr. Chad Domangue, Cypress Pointe Hospital, 42570 S Airport Rd, Hammond, LA 70401, (985) 892-8934, spoke in support of House Bill No. 358.

Izaak Thibodeaux, veterans, 5225 Elliott Rd, Apt 1323, Lake Charles, LA 70605, (337) 244-3696, spoke in support of House Bill No. 358.

Representative Hoffmann is in the chair.

Burdette M. Chatelain, Commonsense NOLA, 270 Vallette St, New Orleans, LA 70114, (504) 333-4141, spoke in support of House Bill No. 358.

Dr. Will Hall, Louisiana Baptist Office of Public Policy, 1250 MacArthur Dr, Alexandria, LA 71309, (318) 449-4348, spoke in opposition to House Bill No. 358.

Representative Jackson offered a motion to report House Bill No. 358 favorably. Without objection, House Bill No. 358 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, Jackson, Robert Johnson, McMahan, Dustin Miller, Moore, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 22 in support, 7 in opposition, and 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

Approval of committee meeting minutes for Regular Session 2018.

Representative Stagni offered a motion to adopt the minutes of 2018 Regular Session. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, and Turner voted yea.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:26 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted: