

House Committee on Insurance

Minutes of Meeting
2019 Regular Session
May 1, 2019

I. CALL TO ORDER

Representative Kirk Talbot, chairman of the House Committee on Insurance, called the meeting to order at 1:07 p.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Kirk Talbot, chairman
Representative Alan Seabaugh, vice chairman
Representative Mark Abraham
Representative John F. "Andy" Anders
Representative Chad Brown
Representative Paula P. Davis
Representative Mary DuBuisson
Representative Cedric B. Glover
Representative Paul Hollis
Representative Mike Huval
Representative Michael T. Johnson
Representative Edmond Jordan
Representative Vincent J. Pierre

MEMBERS ABSENT:

Representative Robby Carter

STAFF MEMBERS PRESENT:

Charlotte Cravins, attorney
Brandi Cannon, attorney
Christie L. Russell, secretary

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms
Molly Alimia, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 371 by Representative Talbot

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 371, which establishes an independent dispute resolution process for certain out-of-network health benefit claims. Without objection, action on House Bill No. 371 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Huval, and Mike Johnson voted yea.

House Bill No. 119 by Representative Bishop

Representative Bishop presented House Bill No. 119, which provides relative to the denial of a prescription based upon step therapy or fail first protocols or nonformulary status.

Jacob Wood, 3626 Primrose Street, Baton Rouge, LA 70808, (318) 254-3664, spoke in support of House Bill No. 119.

Representative Talbot offered amendments to House Bill No. 119 which would change the requirement to provide a list of alternative disease-specific medications to a requirement to provide alternative comparable medications. 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, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Huval, and Mike Johnson voted yea.

Representative Talbot offered amendments to House Bill No. 119 which would authorize an insurer to provide the list of medications in the denial letter sent by the health coverage plan or its agenda and makes technical changes. Representative Talbot offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Huval, and Mike Johnson voted yea.

Representative Talbot offered a motion to report House Bill No. 119 with amendments. Without objection, House Bill No. 119 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Mike Johnson, and Jordan voted yea.

House Bill No. 237 by Representative Chad Brown

Representative Chad Brown presented House Bill No. 237, which prohibits preexisting condition exclusions or other discrimination based on health status.

Representative Chad Brown offered amendments to House Bill 237 which: 1) Require the commissioner of insurance to promulgate rules establishing open enrollment periods and special enrollment periods, and; 2) Provide for an automatic repeal of proposed law if the federal premium tax credit is declared invalid or repealed. Representative Chad Brown 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, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Mike Johnson, and Jordan voted yea.

Representative Chad Brown offered a motion to report House Bill No. 237 as amended to which Representative Seabaugh objected. Representative Seabaugh offered a substitute motion to involuntarily defer action on House Bill No. 237, to which Representative Chad Brown objected.. The secretary called the roll, and action on House Bill No. 237 was involuntarily deferred by a 7 yeas, 4 nays, and 1 abstention. Representatives Seabaugh, Abraham, Davis, DuBuisson, Hollis, Huval, and Mike Johnson voted yea. Representatives Anders, Chad Brown, Jordan, and Pierre voted nay. Representative Talbot abstained.

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

House Bill No. 408 by Representative Davis

Representative Davis presented House Bill No. 408, which provides relative to group health insurance renewals.

Representative Talbot offered amendments to House Bill No. 408 which would: 1) Limit the applicability to large group policies; and 2) Require the insurer to provide data on utilization, paid claims, and premiums on a monthly basis. 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, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Kevin Cunningham, La. Association of Health Underwriters, 543 Spanish Town Road, Baton Rouge, Louisiana 70802, (225) 381-0166, spoke in support of House Bill No. 408.

Jack Duvernay, LAHU, 714 Millikens Bend, Covington, Louisiana 70433, (504) 512-5252, spoke in support of House Bill No. 408.

Representative Davis offered a motion to report House Bill No. 408 with amendments. Without objection, House Bill No. 408 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

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

House Bill No. 345 by Representative Stokes

Representative Stokes presented House Bill No. 345, which provides for coverage for breast and ovarian cancer susceptibility screening.

Representative Talbot offered amendments to House Bill No. 345 which would delay the deadline for existing insurance policies to conform to proposed law to Jan. 1, 2021. 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, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Representative Talbot offered a motion to report House Bill No. 345 with amendments. Without objection, House Bill No. 345 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Hollis, Huval, Mike Johnson, Jordan, and Pierre 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. 347 by Representative Stokes

Representative Stokes presented House Bill No. 347, which provides for the coverage of diagnostic imaging at the same level of coverage as screening mammograms.

Representative Talbot offered amendments to House Bill No. 347 which would: 1) Change the definition of diagnostic imaging, and; 2) Delay the effective date to Jan. 1, 2021. 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, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Hollis, Huval, Mike Johnson, and Jordan voted yea.

Representative Talbot offered a motion to report House Bill No. 347 with amendments. Without objection, House Bill No. 347 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Hollis, Huval, Mike Johnson, and Jordan 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. 370 by Representative Stokes

Representative Stokes presented House Bill No. 370, which provides relative to prescription drug benefits for persons with stage-four advanced, metastatic cancer.

Representative Talbot offered an amendment to House Bill No. 370 which would change the qualifying criteria for a prescribed drug. Representative Talbot offered a motion to adopt the proposed amendment. Without objection, the amendment were adopted by a vote of 10 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Representative Abraham offered amendments to House Bill No. 370 which : 1) Authorize a denial if the health coverage plan's preferred drug or drug regimen is considered an equivalent or better option; 2) Require the treating physician to inform the health coverage plan if a drug is prescribed for an associated condition; 3) Define associated condition; and 4) make technical changes. Representative Abraham 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, Seabaugh, Abraham, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Angela Miller, no address given, spoke in support of House Bill No. 370.

Cassandra Dane, no address given, spoke in support of House Bill No. 370.

David Lavergne, Blue Cross/Blue Shield, 5525 Reitz Avenue, Baton Rouge, LA 70809, spoke in opposition to House Bill No. 370.

Kenny Lacoste, Blue Cross/Blue Shield, 5525 Reitz Avenue, Baton Rouge, LA 70809, spoke in opposition to House Bill No. 370.

Representative Talbot offered a motion to report House Bill No. 370 with amendments. Without objection, House Bill No. 370 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Glover, Hollis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 6 in opposition. Witness cards are included in the committee records.

House Bill No. 411 by Representative Terry Landry

Representative Terry Landry presented House Bill No. 411, which provides for insureds to have the option to choose a particular motor vehicle repair shop.

Representative Talbot offered amendments to House Bill No. 411 which would delete proposed law that prohibits insurers from incentivizing or inducing an insured or claimant to use a specific place or shop for repairs. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Glover, Hollis, Huval, Jordan, and Pierre voted yea.

Representative Pierre offered a motion to report House Bill No. 411 with amendments. Without objection, House Bill No. 411 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, DuBuisson, Glover, Hollis, Huval, Jordan, and Pierre 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. 242 by Representative LeBas

Representative LeBas presented House Bill No. 242, which prohibits certain claims fees assessed by health insurers or pharmacy benefit managers.

Representative Talbot offered a motion to report House Bill No. 242 favorably. Without objection, House Bill No. 242 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre 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. 557 by Representative LeBas

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 557, which provides relative to pharmacy reimbursement. Without objection, action on House Bill No. 557 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 432 by Representative Jordan

Representative Jordan offered a motion to voluntarily defer action on House Bill No. 432 which provides for the regulation of pharmacy services administrative organizations. Without objection, action on House Bill No. 432 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Talbot, Seabaugh, Abraham, Anders, Chad Brown, Davis, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

House Bill No. 272 by Representative Chad Brown

Representative Chad Brown presented House Bill No. 272, which provides for insurance coverage for acupuncture.

Jennifer Marusak, Louisiana State Medical Society, no address given, spoke in support of House Bill No. 272.

Mina Larson, no address given, spoke in support of House Bill No. 272.

Valerie Viosca, Acupuncture Association of Louisiana, 933 Burgundy Street, New Orleans, LA 70116, testified in support of House Bill No. 272.

Representative Chad Brown offered a motion to report House Bill No. 272 favorably. Without objection, House Bill No. 272 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Davis, DuBuisson, Glover, Hollis, Huval, Mike Johnson, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 1 in opposition, and 1 for information only. 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 2:56 p.m.

Respectfully submitted,

Chairman Kirk Talbot
House Committee on Insurance

Date adopted: