

House Committee on Health and Welfare

Minutes of Meeting
2022 Regular Session
April 6, 2022

I. CALL TO ORDER

Representative Lawrence A. "Larry" Bagley, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:04 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley, chairman
Representative Roy Daryl Adams
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Julie Emerson
Representative Jason Hughes
Representative C. Travis Johnson
Representative Ed Larvadain, III
Representative Wayne McMahan
Representative Dustin Miller
Representative Thomas A. Pressly
Representative Larry Selders
Representative Joseph A. Stagni
Representative Christopher Turner, vice chairman

MEMBERS ABSENT:

Representative Robby Carter
Representative Kenny R. Cox
Representative Patricia "Pat" Moore
Representative Robert "Bob" Owen

STAFF MEMBERS PRESENT:

Meah Johnson, attorney
Drew Murray, legislative analyst
Kristy Neubrandner, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Representative R. Dewith Carrier
Representative C. Denise Marcelle
Braley Trabeau, committee clerk
Faye Talbot, sergeant at arms
Nevonda Reed, division director

III. DISCUSSION OF LEGISLATION

The committee stood at ease at 9:11 a.m. The committee reconvened at 9:13 a.m.

House Bill No. 334 by Representative Duplessis

Representative Duplessis presented House Bill No. 334, which provides relative to employment with behavioral health services providers of peer support specialists.

Representative Hughes offered an amendment to change from five years to three years the amount of time that shall have passed since the completion of a person's sentence before that person may be hired as a peer support specialist. Representative Hughes offered a motion to adopt the proposed amendment. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Karen Stubbs, Louisiana Department of Health (LDH), 628 North Fourth Street, Baton Rouge, LA 70802, (225) 342-9500, spoke for information only on House Bill No. 334.

Angéla Lorio, Louisiana Peer Action Advocacy Coalition, 9335 Homestead Drive, Baton Rouge, LA 70817, (504) 723-7193, spoke in support of House Bill No. 334.

Representative C. Denise Marcelle, District 61, 1824 North Acadian Thruway West, Baton Rouge, LA 70802, (225) 359-9362, spoke in support of House Bill No. 334.

Representative Hughes offered a motion to report House Bill No. 334 with amendments. Without objection, House Bill No. 334 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support. Copies of these statements are included in the committee records.

House Bill No. 335 by Representative Duplessis

Representative Duplessis presented House Bill No. 335, which provides relative to behavioral health.

Representative Bagley offered amendments to:

- (1) Allow the court to appoint a physician, psychiatric mental health nurse practitioner, or psychologist who has been put forth by the petitioner.
- (2) Allow the court to accept a Physician's Report to Court that has been completed pursuant to an examination of the respondent within 10 days of the petition.
- (3) Remove content requirements for a Physician's Report to Court or an affidavit when the report or affidavit accompanies a petition.
- (4) Make technical corrections.

Representative Stagni offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Representative Stagni offered a motion to report House Bill No. 335 with amendments. Without objection, House Bill No. 335 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support. Witness cards are included in the committee records.

House Bill No. 784 by Representative Duplessis

Representative Duplessis presented House Bill No. 784, which provides relative to universal perinatal mood disorder screening for primary care doctors.

Representative Bagley offered amendments to:

- (1) Provide that a pediatric healthcare provider who provides care to an infant shall screen the caregiver of the infant for postpartum depression or related mental health disorders if he believes that such screening is in the best interest of the patient.
- (2) Provide that perinatal mood and anxiety disorder screening shall not create a physician-patient relationship nor shall such screening create any continuing obligation to provide medical services.
- (3) Require the La. Dept. of Health to collaborate with Medicaid-managed care organizations to identify providers who specialize in pregnancy-related and postpartum depression or mental health disorders and substance use disorders relative to such illnesses and to develop network adequacy standards for treatment of those disorders.
- (4) Remove reimbursement provisions.
- (5) Make technical corrections.

Representative Bagley offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Frankie Robertson, March of Dimes, P.O. Box 77084, Baton Rouge, LA 70879, (225) 247-7834, spoke in support of House Bill No. 784.

Robin Gruenfeld, March of Dimes, 5014 Burgundy Street, New Orleans, LA 70117, (504) 621-4443, spoke in support of House Bill No. 784.

Meshawn Tarver Siddiq, Institute of Women and Ethnic Studies, 2020 Lakeshore Drive, Suite 220, New Orleans, LA 70122, (504) 296-9209, spoke in support of House Bill No. 784.

Lori Callais, 10,000 Women Louisiana, 1011 Bay Tree Drive, Denham Springs, LA 70726, (225) 324-9397, spoke in support of House Bill No. 784.

Dena Christy, Family Road of Greater Baton Rouge, 323 East Airport Avenue, Baton Rouge, LA 70806, (225) 201-8888, spoke in support of House Bill No. 784.

Janeá Jamison, Power Coalition, 4930 Washington Avenue, New Orleans, LA 70125, (504) 766-9289, spoke in support of House Bill No. 784.

Kaitlyn Joshua, Power Coalition, 4930 Washington Avenue, New Orleans, LA 70125, (504) 766-9289, spoke in support of House Bill No. 784.

Representative Hughes offered a motion to report House Bill No. 784 with amendments. Without objection, House Bill No. 784 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 5 in support. Copies of these statements are included in the committee records.

House Concurrent Resolution No. 38 by Representative Davis

Representative Davis presented House Concurrent Resolution No. 38, which forms a working group to study the unique needs of individuals with intellectual and developmental disabilities and co-occurring behavioral health conditions.

Ashley McReynolds, Arc of Louisiana, 600 Colonial Drive, Baton Rouge, LA 70806, (225) 383-1033, spoke in support of House Concurrent Resolution No. 38.

Representative Selders offered a motion to report House Concurrent Resolution No. 38 favorably. Without objection, House Concurrent Resolution No. 38 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Echols, Emerson, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support. Copies of these statements are included in the committee records.

House Bill No. 226 by Representative Turner

Chairman Bagley announced that action on House Bill No. 226, which enacts the Louisiana Healthcare Workforce Training Law, was voluntarily deferred.

House Bill No. 424 by Representative Turner

Chairman Bagley announced that action on House Bill No. 424, which provides relative to administration of immunizations and vaccines by pharmacists and other licensees of the La. Board of Pharmacy, was voluntarily deferred.

House Bill No. 189 by Representative Bagley

Representative Turner in the chair.

Representative Bagley presented House Bill No. 189, which provides for settings in which medication attendant services may be provided.

Sharla Aloisio, Louisiana Assisted Living Association, 47 Oakthorn Court, Youngsville, LA 70592, (337) 577-2024, spoke in support of House Bill No. 189.

Renee Matheny, The Blake at Bossier City, P.O. Box 32, Lafayette, LA 70592, (318) 470-6274, spoke in support of House Bill No. 189.

Representative Bagley offered amendments to:

- (1) Provide that the term "licensed long-term care facility" encompasses nursing homes and adult residential care providers.
- (2) Provide citations to the legal definitions for nursing homes and adult residential care providers.
- (3) Make technical corrections.

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, Adams, Echols, Emerson, Travis Johnson, Larvadain, McMahan, Dustin Miller, Selders, Stagni, and Turner voted yea.

Chris Broadwater, Louisiana Community and Technical College System, 265 South Foster Drive, Baton Rouge, LA 70806, (985) 634-3283, spoke for information only on House Bill No. 189.

Ashlyn Riché, Oakmont Estates Assisted Living, 204 Cocoville Road, Mansura, LA 71350, (318) 240-7424, spoke in support of House Bill No. 189.

Representative Travis Johnson offered a motion to report House Bill No. 189 with amendments. Without objection, House Bill No. 189 was reported with amendments by a vote of 11 yeas and 0

nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Travis Johnson, McMahan, Dustin Miller, Selders, Stagni, and Turner voted yea.

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

House Bill No. 826 by Representative Bagley

Representative Bagley presented House Bill No. 826, which includes addiction counselors within the definition of "healthcare provider" in the La. Telehealth Access Act.

Stephen Wright, Louisiana Addiction Treatment Providers, 695 Kiskatom Lane, Mandeville, LA 70471, (318) 663-3810, spoke in support of House Bill No. 826.

Marolon Mangham, Louisiana Association of Substance Abuse Counselors and Trainers, P.O. Box 80235, Baton Rouge, LA 70898, (225) 766-2992, spoke in support of House Bill No. 826.

Representative Bagley offered amendments to include within proposed law behavioral health providers who work for licensed agencies or credentialed providers which provide community psychiatric support and treatment services or psychosocial rehabilitation services. Representative Bagley 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, Adams, Echols, Emerson, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Randal McKay Gomez Simon, Woodlake Addiction Recovery Center, 10473 Old Hammond Highway, Baton Rouge, LA 70816, randalg@woodlakecenter.com, spoke in support of House Bill No. 826.

Representative Selders offered a motion to report House Bill No. 826 with amendments. Without objection, House Bill No. 826 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

House Bill No. 286 by Representative Turner

Chairman Bagley in the chair.

Representative Turner presented House Bill No. 286, which provides relative to healthcare provider credentialing in the Medicaid managed care program.

Greg Waddell, Louisiana Hospital Association, 9521 Brookline Ave, Baton Rouge, LA 70809, (225) 928-0026, spoke in support of House Bill No. 286.

Representative Turner offered amendments to extend to the following healthcare providers the exemptions provided for in proposed law:

- (1) Any provider who is a member of the medical staff of a rural health clinic licensed in accordance with present law.
- (2) Any provider who is a member of the medical staff of a federally qualified health center as defined in present law.

Representative Turner 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, Adams, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Representative Turner offered amendments to:

- (1) Provide that if the federal Medicaid agency withholds or defers payment of, or disallows a claim for, federal financial participation, in whole or in part, based upon a determination that a provider exempted by proposed law has not been credentialed or recertified as required by federal regulations, the state may recoup from the provider or the hospital an amount equal to the federal monies withheld, deferred, or disallowed, in order that the state is indemnified from all losses and made whole.
- (2) Authorize the La. Department of Health to promulgate administrative rules to provide for further credential-deeming applicable to other provider types with appropriate safeguards.

Representative Turner 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, Adams, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Representative Stagni offered a motion to report House Bill No. 286 with amendments. Without objection, House Bill No. 286 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support. Witness cards are included in the committee records.

House Bill No. 347 by Representative Turner

Representative Turner presented House Bill No. 347, which provides relative to factors which qualify hospitals for major teaching hospital status.

Jerry Phillips, Rural Hospital Coalition, 301 Main Street, Suite 1620, Baton Rouge, LA 70801, (225) 389-9429, spoke in support of House Bill No. 347.

Representative Selders offered a motion to report House Bill No. 347 favorably. Without objection, House Bill No. 347 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Echols, Emerson, Hughes, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner 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 Concurrent Resolution No. 40 by Representative Turner

Representative Turner presented House Concurrent Resolution No. 40, which requests the La. Department of Health to study and report on the costs of providing nursing services in certain Medicaid-funded programs and facilities for persons with intellectual and developmental disabilities.

Representative Bagley offered technical amendments. Representative Bagley 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, Adams, Echols, Emerson, Hughes, Larvadain, McMahan, Dustin Miller, Pressly, Stagni, and Turner voted yea.

Marlene Domingue, Donaldsonville Arc, 1030 Clay Street, Donaldsonville, LA 70346, (225) 473-4516, spoke in support of House Concurrent Resolution No. 40.

Cindy Leleux, The Arc Of Acadiana, 6400 Highway 90 West, New Iberia, LA 70560, (337) 367-6813, spoke in support of House Concurrent Resolution No. 40.

Representative Turner offered a motion to report House Concurrent Resolution No. 40 with amendments. Without objection, House Concurrent Resolution No. 40 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yea.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support. Copies of these statements are included in the committee records.

House Bill No. 828 by Representative Horton

Representative Horton presented House Bill No. 828, which increases the gross annual sales threshold under which a home-based preparer of low-risk foods may qualify for the protections of the statute known commonly as the cottage food law.

Meagan Forbes, Institute for Justice, 901 North Glebe Road, Suite 900, Arlington, VA 22263, (612) 435-3451, spoke in support of House Bill No. 828.

Adam Ducote, CounterSpace BR, 3753 Perkins Road, Suite D, Baton Rouge, LA 70808, (225) 229-3465, spoke in opposition to House Bill No. 828.

Representative Bagley offered a motion to voluntarily defer action on House Bill No. 828. Without objection, action on House Bill No. 828 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yeas.

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

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 12 in support. Copies of these statements are included in the committee records.

Further action was taken by the committee on House Bill No. 828 on April 13, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 828.

House Bill No. 832 by Representative Carrier

Representative Carrier presented House Bill No. 832, which designates Act 444 of the 2021 Regular Session as "Beau's Law".

Representative Hughes offered a motion to report House Bill No. 832 favorably. Without objection, House Bill No. 832 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Pressly, Selders, Stagni, and Turner voted yeas.

House Bill No. 611 by Representative Selders

Representative Selders presented House Bill No. 611, which provides relative to the facility need review process for healthcare facilities and providers.

Representative Selders offered amendments to exempt nursing homes from the provisions of proposed law. Representative Selders 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, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, McMahan, Dustin Miller, Pressly, Selders, and Stagni voted yea.

Representative Selders offered a motion to report House Bill No. 611 with amendments. Without objection, House Bill No. 611 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, McMahan, Dustin Miller, Pressly, Selders, and Stagni voted yea.

House Bill No. 625 by Representative Selders

Representative Selders presented House Bill No. 625, which provides relative to off-site locations of behavioral health service providers.

Representative Bagley offered amendments to provide that a behavioral health service provider may operate within a 50-mile radius of one designated off-site location and to make technical corrections. Representative Bagley 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, Adams, Crews, Echols, Emerson, Hughes, McMahan, Pressly, Selders, and Stagni voted yea.

Representative Selders offered a motion to report House Bill No. 625 with amendments. Without objection, House Bill No. 625 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, McMahan, Pressly, Selders, and Stagni 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. 827 by Representative Gadberry

Chairman Bagley announced that action on House Bill No. 827, which provides relative to screening of children for autism spectrum disorder, was voluntarily deferred.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Adams offered a motion to adjourn. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, McMahan, Pressly, Selders, and Stagni voted yea.

The meeting was adjourned at 11:46 a.m.

Respectfully submitted,

Chairman Lawrence A. "Larry" Bagley
House Committee on Health and Welfare

Date adopted: