

House Committee on Insurance

Minutes of Meeting
2023 Regular Session
May 2, 2023

I. CALL TO ORDER

Representative Mike Huval, chairman of the House Committee on Insurance, called the meeting to order at 9:20 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Mike Huval, chairman
Representative Delisha Boyd
Representative Chad Brown
Representative Mary DuBuisson
Representative Lawrence "Larry" Frieman
Representative Cedric B. Glover
Representative Kyle M. Green, Jr.
Representative Paul Hollis
Representative John R. Illg, Jr.
Representative Edmond Jordan, vice chairman
Representative Danny McCormick
Representative Matthew Willard

MEMBERS ABSENT:

Representative Michael "Gabe" Firment
Representative Sherman Q. Mack

STAFF MEMBERS PRESENT:

Cydney Jones, legislative analyst
Rashida Keith, attorney
Alicia Powell, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 403 by Representative Brown

Representative Brown presented House Bill No. 403, which authorizes substitution of certain biosimilar biological products relative to step therapy or fail first protocols.

Representative Brown provided handouts, Exhibit A and Exhibit B, which are included in the committee records.

Eric Sunstrom, Association for Affordable Medicines, P.O. Box 82901, Baton Rouge, LA 70884, (225) 757-9908, spoke in support of House Bill No. 403.

Representative Brown offered a motion to report House Bill No. 403 favorably. Without objection, House Bill No. 403 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Green, Illg, Jordan, McCormick, and Willard voted yea.

House Bill No. 369 by Representative LaFleur

Representative LaFleur presented House Bill No. 369, which provides for a premium discount for certain military personnel.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Green, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

Representative Jordan offered a motion to report House Bill No. 369 with amendments. Without objection, House Bill No. 369 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

House Bill No. 272 by Representative Willard

Representative Willard presented House Bill No. 272, which provides relative to maternity support services of doulas.

Representative Willard offered amendments to:

- (1) Create consistency with current proposed law;
- (2) Add that coverage may also be subject to an annual limit of \$1,500;

- (3) Add that a health insurance issuer or health coverage plan may establish additional credentialing standards for contracting with doulas; and
- (4) Change the year from 2024 to 2025 for which a current policy, contract, or plan is required to convert to the requirements of proposed law.

Representative Willard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

Frankie Robertson, National Birth Equity Collaborative, 14335 Thorn Briar Dr., Baton Rouge, LA 70817, (225) 247-7834, spoke in support of House Bill No. 272.

Representative Boyd offered a motion to report House Bill No. 272 with amendments. Without objection, House Bill No. 272 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Hollis, Jordan, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 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: 2 in support. Copies of these statements are included in the committee records.

House Bill No. 604 by Representative Garofalo

This is a continuation of the discussion on House Bill No. 604 from April 20, 2023. Please check for the prior action to complete the record of discussion and motions on House Bill No. 604.

Representative Garofalo presented House Bill No. 604, which provides for the appraisal process.

Representative Huval offered amendments in the form of a substitute bill. Representative Huval offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Hollis, Jordan, McCormick, and Willard voted yea.

Luke Williamson, Williamson Campbell and Whittington/Louisiana Association for Justice (LAJ), 955 McClung St., Baton Rouge, LA 70802, (225) 383-4010, spoke in opposition to House Bill No. 604.

Jonathan Mitchell, Palmintier Law Group/LAJ, 618 Main St., Baton Rouge, LA 70801, (225) 344-3735, spoke in opposition to House Bill No. 604.

Marc Frischhertz, Frischhertz and Impastato, 1140 St. Charles Ave., New Orleans, LA 70130, (504) 523-1500, spoke in opposition to House Bill No. 604.

Matthew Monson, 5 Sanctuary Blvd., Suite 101, Mandeville, LA 70471, (504) 289-4939, spoke in support of House Bill No. 604.

David Caldwell, Louisiana Department of Insurance (LDI), 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-4673, spoke for information only on House Bill No. 604.

Adam Patrick, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-5140, spoke for information only on House Bill No. 604.

Representative Frieman offered a motion to report House Bill No. 604 by substitute, to which Representative Jordan objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 6 nays. Representatives Huval, DuBuisson, Frieman, Hollis, Illg, and McCormick voted yea. Representatives Boyd, Brown, Glover, Green, Jordan, and Willard voted nay.

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.

Further action was taken by the committee on House Bill No. 604 on May 10, 2023. Please check for the subsequent actions to complete the record of discussions and motions on House Bill No. 604.

House Concurrent Resolution No. 58 by Representative Zeringue

Representative Zeringue presented House Concurrent Resolution No. 58, which urges and requests the Louisiana attorney general to seek legal relief against the Federal Emergency Management Agency's new pricing for the National Flood Insurance Program.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Green, Hollis, Illg, Jordan, and McCormick voted yea.

Dwayne Bourgeois, North Lafourche Levee District/Association of Levee Boards of Louisiana, 3862 Highway 1, Raceland, LA 70394, (985) 537-2244, spoke for information only on House Concurrent Resolution No. 58.

Representative Green offered a motion to report House Concurrent Resolution No. 58 with amendments. Without objection, House Concurrent Resolution No. 58 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Huval, DuBuisson, Frieman, Glover, Green, Hollis, Illg, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

House Bill No. 511 by Representative Illg

Representative Illg presented House Bill No. 511, which provides relative to the Louisiana Insurance Guaranty Association.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Hollis, Illg, and Willard voted yea.

Representative Huval offered amendments to:

- (1) Make technical changes; and
- (2) Increase the percentage for which LIGA may annually assess a member insurer's net direct written premiums from 1% to 2%.

Representative Huval offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas and 0 nays. Representatives Huval, DuBuisson, Frieman, Glover, Hollis, Illg, McCormick, and Willard voted yea.

Jimmy Ordeneaux, Louisiana Farm Bureau Insurance, 7000 Commerce Cir., Baton Rouge, LA 70809, (504) 616-9021, spoke for information only on House Bill No. 511.

Tom Clark, Louisiana Insurance Guaranty Association (LIGA), 301 Main St., Suite 2300, Baton Rouge, LA 70801, (225) 387-4000, spoke in support of House Bill No. 511.

Representative Green offered a motion to report House Bill No. 511 with amendments. Without objection, House Bill No. 511 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Green, Hollis, Illg, McCormick, and Willard 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. 383 by Representative Amedee

Representative Amedee presented House Bill No. 383, which requires each insurer subject to the Louisiana Insurance Guaranty Association Law to provide for a data transfer plan and file such plan with the commissioner of insurance.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Green, Hollis, Illg, McCormick, and Willard voted yea.

Representative Huval offered amendments to:

- (1) Authorize the commissioner to waive compliance with proposed law upon an insurer's written request that establishes that the issues causing a company-action level event will be resolved and with the concurrence of LIGA;
- (2) Subject a data transfer plan and related information to the commissioner's requirements of confidentiality in present law (R.S. 22:1983(J));
- (3) Require the commissioner to provide the data transfer plan and related information used to test the processes to LIGA or any other guaranty association if, prior to the guaranty association receiving the information, the commissioner and the guaranty association agree, in writing, to hold that information with the same confidential treatment required of the commissioner in present law (R.S. 22:1983(J)), unless the insurer grants prior written consent to share the information with a guaranty association; and
- (4) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Glover, Green, Hollis, McCormick, and Willard voted yea.

John Wells, LIGA, 2142 Quail Run, Baton Rouge, LA 70808, (225) 757-1688, spoke in support of House Bill No. 383.

Tom Clark, LIGA, 301 Main St., Suite 2300, Baton Rouge, LA 70801, (225) 387-4000, spoke in support of House Bill No. 383.

Representative Green offered a motion to report House Bill No. 383 with amendments. Without objection, House Bill No. 383 was reported with amendments by a vote of 9 yeas and 0 nays.

Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Green, Hollis, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

Vice Chairman Jordan in the chair.

House Bill No. 489 by Representative Huval

Representative Huval presented House Bill No. 489, which provides relative to ratemaking systems utilized by insurers and rate service organizations.

Representative Jordan offered amendments to make technical changes. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, DuBuisson, Frieman, Glover, Green, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

Jeff Albright, Independent Insurance Agents and Brokers of Louisiana, 18153 E. Petroleum Dr., Baton Rouge, LA 70809, (225) 236-1366, spoke in support of House Bill No. 489.

Kevin Cunningham, American Property Casualty Insurance Association, 543 Spanish Town Rd., Baton Rouge, LA 70802, (225) 381-0166, spoke in support of House Bill No. 489.

Rodney Braxton, State Farm Insurance, 543 Spanish Town Rd., Baton Rouge, LA 70802, (225) 381-0166, spoke in support of House Bill No. 489.

Jimmy Ordeneaux, Louisiana Farm Bureau Insurance, 7000 Commerce Cir., Baton Rouge, LA 70809, (504) 616-9021, spoke in support of House Bill No. 489.

Jim Donelon, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-7275, spoke in opposition to House Bill No. 489.

Representative Huval offered a motion to report House Bill No. 489 with amendments. Without objection, House Bill No. 489 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Green, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 34 in support 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

Representative Illg offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Frieman, Glover, Green, Hollis, Illg, Jordan, McCormick, and Willard voted yea.

The meeting was adjourned at 12:04 p.m.

Respectfully submitted,

Chairman Mike Huval
House Committee on Insurance

Date adopted: