

OFFICIAL JOURNAL
OF THE
COMMITTEE OF THE WHOLE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTY-SIXTH DAY'S PROCEEDINGS

Forty-fourth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, April 19, 2018

The Committee was called to order at 9:54 A.M. by Chairman Anders.

On motion of Rep. Leger, the calling of the roll was dispensed with.

Suspension of the Rules

Rep. Henry moved to suspend Rule 6.25 to consider House Bill No. 1, schedule by schedule, which motion was agreed to.

HOUSE BILL NO. 1—
BY REPRESENTATIVE HENRY
AN ACT

Making annual appropriations for Fiscal Year 2018-2019 for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Rep. Henry sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Henry in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 27, line 19, change "13,007,996" to "13,007,966"

AMENDMENT NO. 2

On page 27, line 21, change "13,007,996" to "13,007,966"

AMENDMENT NO. 3

On page 80, between lines 39 and 40, insert the following:

"Beginning on October 1, 2018, and monthly thereafter, the department shall submit a report detailing the programmatic allocations of the total appropriated for Schedule 09-306 Medical Vendor Payments in this Act to the Joint Legislative Committee on the Budget for its review. The first report shall include a detailed itemization of the actual means of financing and expenditures for Medical Vendor Payments in Fiscal Year 2017-2018 and the initial allocation of payments for Fiscal Year 2018-2019 to provider groups, state agencies, or managed care programs within each of the four programs: Payments to Private Providers; Payments to Public Providers; Medicare Buy-Ins and Supplements; and Uncompensated Care Costs. The first report shall also include, for both the prior and current fiscal year, an itemization of supplemental payments and uncompensated care costs payments to the LSU Public Private Partnership hospitals. The second report, and each subsequent report thereafter, shall itemize the projected expenditures in Fiscal Year 2018-2019 for each allocation within the four programs and payments to the public private partnership hospital as presented in the first report of the fiscal year. Also, the reports shall include a section specifying the total amount of pharmacy rebates received year-to-date and the total amount projected to be received by the end of the fiscal year. Further, the department shall include a section in each report detailing the anticipated levels of revenue collections in Medical Vendor Payments by source and, in the event a deficit is projected, any other sources of revenues that may be available or adjustments in expenditures that could be implemented within the department to aid in alleviating the projected deficit. Finally, the department may vary the forecasting methodologies utilized to produce the reports as necessary to ensure the submission of the most accurate projections of revenues and expenditures as practical."

AMENDMENT NO. 4

On page 81, between lines 24 and 25, insert the following:

"The Louisiana Department of Health shall not reduce reimbursement rates for providers rendering applied behavioral analysis services, including any rates agreed upon in any contractual agreement with a managed care organization, as defined in 42 CFR 483.2, that transfers the provision of applied behavioral analysis services to a managed care organization."

AMENDMENT NO. 5

On page 88, delete lines 8 and 9 in their entirety and insert the following:

"Cost reports shall not include any attorney fees paid by public/private partnership hospitals for any anti-trust lawsuits against the state or any public or private entity."

AMENDMENT NO. 6

On page 89, between lines 22 and 23, insert the following:

"The commissioner of administration is hereby authorized and directed to adjust the means of financing for this agency by reducing the appropriation out the State General Fund by Statutory Dedications out of the Health Excellence Fund by \$508,201."

AMENDMENT NO. 7

On page 90, at the end of line 22, change the period "." to a comma "," and insert "unless not approved by CMS."

AMENDMENT NO. 8

On page 147, line 40, change "\$2,786,032" to "\$2,100,214"

AMENDMENT NO. 9

On page 153, line 24, change "\$16,809,921" to "\$14,568,063"

AMENDMENT NO. 10

On page 163, line 23, change "\$20,314,182" to "\$20,000,000"

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AMENDMENT NO. 11

On page 172, line 42, after "of" delete the remainder of the line and insert the following:

"\$50 per month \$490,000"

On motion of Rep. Henry, the amendments were adopted.

Rep. Connick sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Connick in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 57, between lines 9 and 10, insert the following:

"Provided, however, that of the funds appropriated from State General Fund by Statutory Dedications out of the Transportation Trust Fund -Regular to the Operations Program in this agency, \$500,000 shall be allocated for services pursuant to R.S. 48:1161.2."

On motion of Rep. Connick, the amendments were adopted.

Acting Chairman Bishop in the Chair

Rep. Falconer sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Falconer in the Committee of the Whole House to Original House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 82, at the end of line 11, change "(174)" to "(181)"

On motion of Rep. Falconer, the amendments were adopted.

Rep. Lance Harris sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Lance Harris in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 88, between lines 17 and 18, insert the following:

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for Lallie Kemp Regional Medical Center \$ 2,447,835

TOTAL EXPENDITURES \$ 2,447,835

MEANS OF FINANCE:

State General Fund (Direct) \$ 856,742 Federal Funds \$ 1,591,093

TOTAL MEANS OF FINANCING \$ 2,447,835

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in Bogalusa \$ 3,405,579

TOTAL EXPENDITURES \$ 3,405,579

MEANS OF FINANCE:

State General Fund (Direct) \$ 1,191,953 Federal Funds \$ 2,213,626

TOTAL MEANS OF FINANCING \$ 3,405,579

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in New Orleans \$ 43,946,263

TOTAL EXPENDITURES \$ 43,946,263

MEANS OF FINANCE:

State General Fund (Direct) \$ 15,381,192 Federal Funds \$ 28,565,071

TOTAL MEANS OF FINANCING \$ 43,946,263

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in Lafayette \$ 10,140,192

TOTAL EXPENDITURES \$ 10,140,192

MEANS OF FINANCE:

State General Fund (Direct) \$ 3,549,067 Federal Funds \$ 6,591,125

TOTAL MEANS OF FINANCING \$ 10,140,192

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in Lake Charles \$ 6,868,239

TOTAL EXPENDITURES \$ 6,868,239

MEANS OF FINANCE:

State General Fund (Direct) \$ 2,403,884 Federal Funds \$ 4,464,355

TOTAL MEANS OF FINANCING \$ 6,868,239

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in Alexandria \$ 2,074,117

TOTAL EXPENDITURES \$ 2,074,117

MEANS OF FINANCE:

State General Fund (Direct) \$ 725,941 Federal Funds \$ 1,348,176

TOTAL MEANS OF FINANCING \$ 2,074,117

EXPENDITURES:

Payment to the Uncompensated Care Costs Program for public/private partner hospital in Shreveport \$ 24,179,552

TOTAL EXPENDITURES \$ 24,179,552

MEANS OF FINANCE:
 State General Fund (Direct) \$ 8,462,843
 Federal Funds \$ 15,716,709
 TOTAL MEANS OF FINANCING \$ 24,179,552"

AMENDMENT NO. 2

On page 125, line 4, change "\$233,342,683" to "\$175,090,139"

AMENDMENT NO. 3

On page 125, between line 8 and 9, insert the following:

"Payable out of State General Fund (Direct)
 to the Board of Regents for public institutions
 of higher education \$ 25,680,922"

Rep. Lance Harris moved the adoption of the amendments.

Rep. Havard objected.

By a vote of 63 yeas and 41 nays, the amendments were adopted.

Consent to Correct a Vote Record

Rep. Jackson requested the House consent to correct her vote on the amendments proposed by Rep. Lance Harris to House Bill No. 1 from nay to yea, which consent was unanimously granted.

Chairman Anders in the Chair

Rep. Edmonds sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Edmonds in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 88, at the end of line 20, change "\$290,013,630" to "\$309,904,797"

AMENDMENT NO. 2

On page 88, at the end of line 21, change "\$290,013,630" to "\$309,904,797"

AMENDMENT NO. 3

On page 88, at the end of line 29, change "\$5,100,000" to "\$12,127,549"

AMENDMENT NO. 4

On page 88, at the end of line 30, change "\$187,551,815" to "\$200,415,433"

AMENDMENT NO. 5

On page 88, at the end of line 31, change "\$290,013,630" to "\$309,904,797"

On motion of Rep. Edmonds, the amendments were adopted.

Rep. Chaney sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Chaney in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

In Committee of the Whole House Amendment No. 1 by Representative Lance Harris (#3195), on page 2, at the end of line 32, delete the quote " " and insert the following:

"EXPENDITURES:

Payment to Private Providers
 Program for public/private partner hospital
 in Monroe \$ 3,309,140

TOTAL EXPENDITURES \$ 3,309,140

MEANS OF FINANCE:

State General Fund (Direct) \$ 1,158,199
 Federal Funds \$ 2,150,941

TOTAL MEANS OF FINANCING \$ 3,309,140

"EXPENDITURES:

Payment to Private Providers
 Program for public/private partner hospital
 in Baton Rouge \$ 8,261,280

TOTAL EXPENDITURES \$ 8,261,280

MEANS OF FINANCE:

State General Fund (Direct) \$ 2,891,448
 Federal Funds \$ 5,369,832

TOTAL MEANS OF FINANCING \$ 8,261,280"

AMENDMENT NO. 2

In Committee of the Whole House Amendment No. 2 by Representative Lance Harris (#3195), on page 2, at the end of line 34, delete "\$175,090,139" and insert "\$171,040,492"

Rep. Chaney moved the adoption of the amendments.

Rep. Henry objected.

By a vote of 37 yeas and 62 nays, the amendments were rejected.

Rep. Henry moved the adoption of schedule nine.

Rep. James objected.

By a vote of 58 yeas and 45 nays, the House agreed to adopt schedule nine.

Consent to Correct a Vote Record

Rep. Jenkins requested the House consent to correct his vote on the final passage vote of schedule nine to House Bill No. 1 from yea to nay, which consent was unanimously granted.

Rep. Abramson sent up committee amendments which were read as follows:

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COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Abramson in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 160, at the end of line 52, add the following:

"Payable out of the State General
Fund by Statutory Dedications out
of the New Orleans Quality of Life
Fund to the City of New Orleans
Short Term Rental Administration \$ 2,300,000"

AMENDMENT NO. 2

On page 171, between 39 and 40, insert the following:

"Payable out of the State General
Fund by Statutory Dedications out
of the Casino Support Services
Fund for casino support services \$ 524,290"

On motion of Rep. Abramson, the amendments were adopted.

Motion

On motion of Rep. Henry, the Committee of the Whole House agreed to rise and report.

ALFRED W. SPEER
Clerk of the House