

House Committee on Health and Welfare

Minutes of Meeting
2016 Regular Session
March 16, 2016

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:00 a.m. in Room 5, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley
Representative Kenny R. Cox
Representative Bob Hensgens
Representative Dodie Horton
Representative Marcus L. Hunter
Representative Katrina R. Jackson
Representative Mike Johnson
Representative Robert A. Johnson
Representative H. Bernard LeBas
Representative Tanner D. Magee
Representative Helena N. Moreno
Representative J. Rogers Pope
Representative Julie Stokes
Representative Thomas P. Willmott, vice chairman
Representative Frank A. Hoffmann, chairman

MEMBERS ABSENT:

Representative Dustin Miller

STAFF MEMBERS PRESENT:

Felicie Jackson, secretary
Brandi Cannon, attorney
Drew Murray, legislative analyst

ADDITIONAL ATTENDEES PRESENT:

Nevonda Reed, division director
Nakia Smith, committee clerk
Vivian Hurst, sergeant at arms
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 671 by Representative Moreno**

Representative Hoffmann announced that House Bill No. 671, which provides relative to redispensing of drugs in correctional facility pharmacies, is voluntarily deferred.

House Bill No. 482 by Representative Jefferson

Representative Jefferson presented House Bill No. 482, which creates a task force to recommend means by which the state may better facilitate permanency for foster children.

Representative Hoffmann offered the following amendments:

1. Delete a reference to the DCFS Kinship Foster Care Program and insert in lieu thereof a reference to the DCFS foster care program.
2. Add as a task force member a person who has served as a relative caretaker for a child in foster care appointed by the secretary of DCFS.
3. Revise two enumerated functions of the task force to provide that these functions shall be:
 - (a) Examination of means and best practices to ensure that foster children and adoptive children are placed in homes that can become permanent placements when reunification is not possible, thereby reducing the number of children who are moved repeatedly among different homes.
 - (b) Identification of means by which to assess persons applying to be foster parents, adoptive parents, and relative caretakers.
4. Add the following three enumerated functions of the task force:
 - (a) Identification of laws and agency policies that unduly serve as barriers to permanency.

- (b) Identification of barriers with respect to recruitment of a competent workforce and substitute caretaker network.
- (c) Examination of barriers with respect to placement resources.

Representative Hoffmann 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, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, and Hoffmann voted yea.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark, Apt 291, Baton Rouge, LA, 70820, (318) 564-4452, spoke in support of House Bill No. 482.

Representative Cox offered a motion to report House Bill No. 482 with amendments. Without objection, House Bill No. 482 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, and Hoffmann voted yea.

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

House Bill No. 763 by Representative Carpenter

Representative Carpenter presented House Bill No. 763, which authorizes and provides for mental health emergency room extensions.

Dr. Jan Kasofsky, Capital Area Human Services District, 4615 Government St, Baton Rouge, LA, (225) 266-0522, spoke for information only on House Bill No. 763. Dr. Kasofsky provided a handout, Exhibit A, which is included in the committee records.

Dr. Scott Meche, Department of Health and Hospitals, 628 N 4th St, Baton Rouge, LA, 70802, (225) 342-9500, spoke for information only on House Bill No. 763.

Mr. Hillar Moore, East Baton Rouge District Attorney, 222 St Louis St, Baton Rouge, LA, 70802, (225) 389-3412, spoke for information only on House Bill No. 763.

Ms. Tonja Myles, 620 W. Port Hudson Plains Rd, Zachary, LA, 70791, spoke in support of House Bill No. 763.

Dr. William Beau Clark, East Baton Rouge Coroner, 4030 TB Herndon Ave, Baton Rouge, LA, 70807, spoke for information only on House Bill No. 763.

Representative Moreno offered amendments to provide that human services districts and authorities are authorized, but not required, to establish MHEREs as Level III (freestanding) crisis receiving centers.

Representative Moreno offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Moreno offered a concept amendment for statewide service. Representative Moreno offered a motion to withdraw the amendments. Without objection, the amendments were withdrawn by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Cox offered a motion to report House Bill No. 763 with amendments. Without objection, House Bill No. 763 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

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

House Bill No. 107 by Representative Willmott

Representative Willmott presented House Bill No. 107, which provides for technical corrections to provisions of the La. Revised Statutes as necessary for conformity with the Safe Haven Law.

Representative Willmott provided a handout, Exhibit B, which is included in the committee records.

Representative Willmott offered amendments which made technical changes.

Representative Willmott 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, Cox, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark, Apt 291, Baton Rouge, LA, 70820, (318) 564-4452, spoke in support of House Bill No. 107.

Representative LeBas offered a motion to report House Bill No. 107 with amendments. Without objection, House Bill No. 107 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

There were no other witness cards submitted in support, opposition, nor for information.

House Bill No. 237 by Representative Willmott

Representative Willmott presented House Bill No. 237, which provides for an official symbol to identify emergency care facilities designated in the Safe Haven Law.

Representative Willmott provided a handout, Exhibit C, which is included in the committee records.

Representative Willmott offered amendments which made technical changes.

Representative Willmott 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, Cox, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Cox offered a motion to report House Bill No. 237 with amendments. Without objection, House Bill No. 237 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann 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. 494 by Representative Moreno

Representative Moreno presented House Bill No. 494, which provides relative to the membership and functions of the La. State Child Death Review Panel.

Representative Moreno offered a motion to report House Bill No. 494 favorably. Without objection, House Bill No. 494 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bagley, Cox, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 3 for information only. Witness cards are included in the committee records.

House Bill No. 680 by Representative Moreno

Representative Moreno presented House Bill No. 680, which requires healthcare services providers to conduct background checks on prospective employees.

Representative Moreno offered amendments which:

1. Make technical changes.
2. Restore previously deleted language regarding Medicaid personal care services and the section 1915(c) home and community-based services waiver program in the definition of employer.
3. Delete the reference to the qualification of contracted or employed on staff in the definition of nonlicensed person.
4. Require employers to only contract with businesses who comply with the criminal history and security check requirement.
5. Specify that services provided by nonlicensed persons must be directly related to patient care.
6. Authorize the use of fingerprints for the criminal history and security checks.

Ms. Cecile Castello, Department of Health and Hospitals, 628 N. 4th St, Baton Rouge, LA, 70802, (225) 342-9500, spoke for information only on House Bill No. 680.

Captain Greg Graphia, Louisiana State Police, 7919 Independence Blvd, Baton Rouge, LA, 70806, (225) 925-4236, spoke for information only on House Bill No. 680.

Representative Moreno 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, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Mr. Joseph Donchess, Nursing Home Association, 7844 Office Park Blvd. Baton Rouge, LA, 70809, (225) 927-5642, spoke in support of House Bill No. 680.

Representative Moreno offered a motion to report House Bill No. 680 with amendments. Without objection, House Bill No. 680 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support and 2 for information only. Witness cards are included in the committee records.

House Bill No. 485 by Representative Robert Johnson

Representative Robert Johnson presented House Bill No. 485, which provides for access to consumer reports by the Department of Children and Family Services for child support purposes.

The Louisiana Department of Children and Family Services provided a handout, Exhibit D, which is included in the committee records.

Representative Robert Johnson offered a motion to report House Bill No. 485 favorably. Without objection, House Bill No. 485 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Hunter, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 2 for information only. Witness cards are included in the committee records.

House Bill No. 486 by Representative Robert Johnson

Representative Robert Johnson presented House Bill No. 486, which provides for administrative hearings for property or assets frozen by the Department of Children and Family Services.

Ms. Lisa Andry, Department of Children and Family Services, 624 N. 4th St, Baton Rouge, LA, 70802, (225) 936-7750, spoke for information only on House Bill No. 486.

Mr. Gary Franklin, Department of Children and Family Services, 624 N. 4th St, Baton Rouge, LA, 70802, (225) 936-7750, spoke for information only on House Bill No. 486.

Representative Willmott is in the chair.

Representative Hoffmann is in the chair.

Representative Bagley offered a motion to report House Bill No. 486 favorably. Without objection, House Bill No. 486 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Hunter, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Willmott, and Hoffmann 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. 595 by Representative R. Johnson

Representative Hoffmann announced that House Bill No. 595, which provides relative to the delivery of nutrition services through telehealth, is voluntarily deferred.

Representative Willmott is in the chair.

House Bill No. 475 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 475, which provides for the organization of the Department of Children and Family Services.

Ms. Marketa Walters, Department of Children and Family Services, 627 N. 4th St, Baton Rouge, LA, 70802, (225) 342-6715, spoke for information only on House Bill No. 475.

Representative Hoffmann offered amendments which:

1. Make technical changes.
2. Update references in present law provisions regarding the La. Sexual Assault Task Force and family and child support programs.
3. Change the appointing authority for the assistant secretaries from the secretary of the department to the governor.

Representative Hoffmann 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, Cox, Hensgens, Horton, Jackson, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Willmott, and Hoffmann voted yea.

Ms. Patrice Thomas, Legislative Fiscal Office, 900 N. 3rd St, Baton Rouge, LA, 70802, (225) 342-7233, spoke for information only on House Bill No. 475.

Representative Bagley offered a motion to report House Bill No. 475 with amendments. Without objection, House Bill No. 475 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Hensgens, Horton, Mike Johnson, Robert Johnson, LeBas, Magee, Moreno, Pope, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. 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 adjourned at 11:32 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted:

May 3, 2016