

House Committee on Health and Welfare

Minutes of Meeting
2016 Regular Session
May 3, 2016

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:01 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 H. Bernard LeBas
Representative Tanner D. Magee
Representative Dustin Miller
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 Robert A. Johnson

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Vivian Hurst, sergeant at arms
Beverly Hurst, sergeant at arms
Janet Anthony, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 980 by Representative Broadwater**

Representative Hoffmann announced that action on House Bill No. 980, which provides relative to the medical assistance program of the state, is voluntarily deferred.

Senate Bill No. 187 by Senator Barrow

Representative Hoffmann announced that action on Senate Bill No. 187, which provides relative to advanced practice registered nursing, is voluntarily deferred.

House Bill No. 699 by Representative Stokes

Representative Hoffmann announced that action on House Bill No. 699, which revises fee amounts for facilities and providers licensed by the Dept. of Health and Hospitals, is voluntarily deferred.

House Bill No. 961 by Representative Cromer

Representative Cromer presented House Bill No. 961, which requires educational or marketing materials for prescription drugs directed to healthcare providers to include price information.

Representative Hoffmann offered a motion to voluntarily defer action on House Bill No. 961. Without objection, action on House Bill No. 961 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Bagley, Cox, Horton, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

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

Senate Bill No. 56 by Senator Johns

Senator Johns presented Senate Bill No. 56, which provides for retention, archiving, and destruction of records in the state prescription monitoring program.

Mr. Malcolm Broussard, Louisiana Board of Pharmacy, 3388 Brentwood Dr, Baton Rouge, LA, 70809, (225) 925-6481, spoke for information only on Senate Bill No. 56.

Representative Cox offered a motion to report Senate Bill No. 56 favorably. Without objection, Senate Bill No. 56 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann 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.

Senate Bill No. 189 by Senator Johns

Senator Johns presented Senate Bill No. 189, which provides for pharmacist dispensing exceptions.

Representative Hoffmann offered a motion to report Senate Bill No. 189 favorably. Without objection, Senate Bill No. 189 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, Willmott, and Hoffmann voted yea.

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

Senate Bill No. 33 by Senator Gatti

Senator Gatti presented Senate Bill No. 33, which prohibits the harvest, collection, sale, or transport of organs or body parts of aborted babies.

Representative Magee offered a motion to report Senate Bill No. 33 favorably. Without objection, Senate Bill No. 33 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Pope, Willmott, and Hoffmann voted yea.

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

Representative Willmott is in the chair.

House Concurrent Resolution No. 87 by Representative Hoffmann

Representative Hoffmann presented House Concurrent Resolution No. 87, which requests a study and report by the Dept. of Health and Hospitals concerning the possibility of reversing the effects of an abortion induced with drugs or chemicals.

Ms. Deanna Wallace, Louisiana Right to Life, 4445 Alvin Dark Ave, Apt 291, Baton Rouge, LA, 70820, (318) 564-4452, spoke in support of House Concurrent Resolution No. 87.

Representative Jackson offered a motion to report House Concurrent Resolution No. 87 favorably. Without objection, House Concurrent Resolution No. 87 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, 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. 258 by Representatives Mike Johnson and Robby Carter

Representative Willmott announced that action on House Bill No. 258, which provides relative to grounds and procedures for denial or revocation of Medicaid provider enrollment and eligibility for health facility licensure, is voluntarily deferred.

House Bill No. 979 by Representative Dustin Miller

Representative Willmott announced that action on House Bill No. 979, which provides relative to the composition of the La. State Board of Nursing, is voluntarily deferred.

Representative Hoffmann is in the chair.

House Bill No. 946 by Representative Connick

Representative Connick presented House Bill No. 946, which provides relative to the investigation and adjudication of complaints against physicians.

Mr. Joseph M. Bruno, Bruno & Bruno, 855 Baronne St, New Orleans, LA, 70113, (504) 722-6900, spoke in support of House Bill No. 946. Mr. Bruno presented a display, Exhibit A, which is included in the committee records.

Dr. Arnold Feldman, 17740 W Lakeway Ave, Baton Rouge, LA, 70810, (225) 201-0950, spoke in support of House Bill No. 946.

Mr. Eric Torres, Louisiana State Board of Medical Examiners, 630 Camp St, New Orleans, LA, 70130, (504) 568-1079, spoke for information only on House Bill No. 946.

Representative Horton offered a motion to report House Bill No. 946 favorably, to which Representative Hoffmann objected. The secretary called the roll, and House Bill No. 946 was reported favorably by a vote of 8 yeas, 1 nays, and 1 abstention. Representatives Bagley, Cox, Horton, Magee, Dustin Miller, Pope, Stokes, and Willmott voted yea. Representative Hoffmann voted nay. Representative Jackson abstained.

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

House Bill No. 761 by Representative Stokes

Representative Stokes presented House Bill No. 761, which provides relative to the Medicaid recovery audit contractor program.

Mr. Scott Kirkpatrick, Louisiana Dental Association, 844 Jefferson Hwy, Baton Rouge, LA, 70809, (225) 341-4373, spoke in support of House Bill No. 761.

Representative Stokes offered amendments in the form of a substitute bill to House Bill 761. Representative Stokes offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Willmott offered a motion to report House Bill No. 761 by substitute. Without objection, House Bill No. 761 was reported by substitute by a vote of 12 yeas and 0 nays. Representatives Bagley, Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 271 by Senator Mills

Senator Mills presented Senate Bill No. 271, which provides for medical marijuana.

Senator Mills provided a handout, Exhibit B, which is included in the committee records.

Representative Willmott is in the chair.

Representative LeBas offered amendments, which make technical changes.

Representative LeBas offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, and Willmott voted yea.

Representative LeBas offered amendments, which:

1. Limit the application of proposed law for qualifying conditions for which medical marijuana is approved for use by the FDA.
2. Require step therapy for qualifying conditions for which other forms of medical marijuana are approved for use by the FDA.
3. Remove glaucoma and severe muscle spasms from the list of qualifying conditions.

Representative LeBas offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Cox, Horton, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, and Willmott voted yea.

Representative Magee offered amendments, which require the use of food-grade ethanol extraction and require a product that is food-safe and pharmaceutical-grade.

Representative Hoffmann is in the chair.

Representative Magee offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Cox, Horton, Jackson, LeBas, Magee, Pope, Stokes, Willmott, and Hoffmann voted yea.

Representative Cox offered amendments, which would have added traumatic brain injury and post-traumatic stress disorder to the list of qualifying conditions.

Representative Cox offered a motion to adopt the proposed amendments. After discussion Representative Cox withdrew the amendments.

Representative Horton offered amendments, which would have removed all references in proposed law to the act of recommending marijuana for therapeutic use.

Representative Horton offered a motion to adopt the proposed amendments, to which Representative LeBas objected. The secretary called the roll, and the motion failed to pass by a vote of 3 yeas and 9 nays. Representatives Horton, Stokes, and Hoffmann voted yea. Representatives Bagley, Cox, Jackson, LeBas, Magee, Dustin Miller, Moreno, Pope, and Willmott voted nay.

Ms. Katie Corken, 60588 Smilin Acres Rd, Amite, LA, 70422, (985) 507-8540, spoke in support of Senate Bill No. 271.

Mr. Alan Pesch, 4308 Poplar St, Baton Rouge, LA, 70808, (225) 933-4089, spoke in support of Senate Bill No. 271. Mr. Pesch provided a handout, Exhibit C, which is included in the committee records.

Representative Pope is in the chair.

Ms. Brandi Melissa, P.O. Box 1171, Baton Rouge, LA, 70821, (225) 223-0277, spoke in support of Senate Bill No. 271.

Representative Hoffmann is in the chair.

Mr. Michael Guynes, 9282 Dovick Rd, Lake Charles, LA, 70607, (337) 274-1570, spoke in support of Senate Bill No. 271.

Dr. Rani Whitfield, Southern University Board of Supervisors, 429 E Airport Ave, Ste 4, Baton Rouge, LA, 70806, (225) 924-2669, spoke in support of Senate Bill No. 271.

State Representative Reid Falconer, District 89, 67 Magnolia Ridge, Madisonville, LA, 70447, (985) 792-5185, spoke in support of Senate Bill No. 271.

Sheriff Mike Stone, Louisiana Sheriff's Association, 161 Road Camp Road, Ruston, LA, 71270, (318) 255-3045, spoke in opposition to Senate Bill No. 271.

Dr. Will Hall, Louisiana Baptists Office of Public Policy, 1250 MacArthur Dr, Alexandria, LA, 71303, (318) 449-4348, spoke in opposition to Senate Bill No. 271.

Mr. Pete Adams, Louisiana District Attorneys Association, 1645 Nicholson Dr, Baton Rouge, LA, 70802, no phone number provided, spoke in opposition to Senate Bill No. 271.

Ms. Stephanie Haynes, Smart Approaches to Marijuana, 6221 S Claiborne Ave, New Orleans, LA, 70125, (504) 352-7424, spoke in opposition to Senate Bill No. 271. Ms. Haynes provided a handout, Exhibit D, which is included in the committee records.

Ms. Suzanne Rusoukh, Citizens For One New Orleans, 185 E. Oakridge Pk, Metairie, LA, 70005, (504) 430-7791, spoke in opposition to Senate Bill No. 271.

Ms. Elizabeth Seton Jenkins, SOS Citizens for 1, 4408 Henican Pl, Metairie, LA, 70003, (504) 236-6027, spoke in opposition to Senate Bill No. 271. Ms. Jenkins provided a handout, Exhibit E, which is included in the committee records.

Representative Jackson offered a motion to report Senate Bill No. 271 with amendments, to which Representative Horton objected. The secretary called the roll, and Senate Bill No. 271 was reported with amendments by a vote of 8 yeas and 6 nays. Representatives Cox, Hunter, Jackson, LeBas, Magee, Dustin Miller, Moreno, and Pope voted yea. Representatives Bagley, Horton, Mike Johnson, Stokes, Willmott, and Hoffmann voted nay.

Witness cards submitted by individuals who did not speak are as follows: 13 in support, 10 in opposition, and 3 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

Representative Hoffmann offered a motion to adopt the minutes of the March 16, 2016; March 23, 2016; and March 30, 2016, committee meetings. Without objection, the minutes were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Cox, Horton, Hunter, Jackson, Mike Johnson, LeBas, Magee, Dustin Miller, Moreno, Pope, Stokes, Willmott, and Hoffmann voted yea.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:44 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted:

May 31, 2017