

## **House Committee on Insurance**

Minutes of Meeting  
2016 Regular Session  
April 13, 2016

### **I. CALL TO ORDER**

Representative Kirk Talbot, chairman of the House Committee on Insurance, called the meeting to order at 10:08 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Kirk Talbot, chairman  
Representative Mark Abraham  
Representative John F. "Andy" Anders  
Representative Chad Brown  
Representative Robby Carter  
Representative Gregory Cromer  
Representative Paula P. Davis  
Representative Mike Huval  
Representative Vincent J. Pierre  
Representative Alan Seabaugh  
Representative Major Thibaut, vice chairman

#### **MEMBERS ABSENT:**

Representative Cedric B. Glover  
Representative Paul Hollis  
Representative Jerome Richard

#### **STAFF MEMBERS PRESENT:**

David Marcuse, attorney  
Theresa H. Ray, legislative analyst  
Christie L. Russell, secretary

#### **ADDITIONAL ATTENDEES PRESENT:**

Vivian Hurst, sergeant at arms  
Hunter Sikaffy, clerk

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 705 by Representative Broadwater**

Representative Broadwater presented House Bill No. 705, which prohibits certain contractual provisions in provider contracts with health insurance issuers.

Wes Hataway, La. State Medical Society, 6767 Perkins Road, Baton Rouge, LA (225) 763-8500, spoke in support of House Bill No. 705.

Witness cards submitted by individuals who did not speak are as follows: 18 in support. Witness cards are included in the committee records.

Representative Talbot offered amendments in the form of a substitute bill to House Bill No. 705. Representative Talbot offered a motion to adopt the substitute bill. Without objection, the substitute bill was adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

Representative Pierre offered a motion to report House Bill No. 705 by substitute. Without objection, House Bill No. 705 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

#### **House Bill No. 865 by Representative Huval**

Representative Huval presented House Bill No. 865, which provides relative to licensing of insurance producers.

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 865. Without objection, action on House Bill No. 865 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

#### **House Bill No. 490 by Representative LeBas**

Representative LeBas presented House Bill No. 490, which provides for the submission of a remittance advice by health insurers to pharmacists.

Witness cards submitted by individuals who did not speak are as follows: 14 in support. Witness cards are included in the committee records.

Representative Cromer offered an amendment to House Bill No. 490, which proposed to add an effective date of January 1, 2017. Representative Cromer offered a motion to adopt the proposed amendment. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

Representative Davis offered a motion to report House Bill No. 490 with amendments. Without objection, House Bill No. 490 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

### **House Bill No. 864 by Representative LeBas**

Representative LeBas presented House Bill No. 864, which prohibits certain claims fees assessed by health insurers or pharmacy benefit managers.

Robert L. Rieger, Jr., Adams and Reese, 450 Laurel Street, Baton Rouge, LA (225) 336-5200, spoke for information only on House Bill No. 864.

Witness cards submitted by individuals who did not speak are as follows: 19 in support and 3 in opposition. Witness cards are included in the committee records.

Representative Talbot offered amendments to House Bill No. 864, which: 1) Require that prohibited fees be related to a claim; and 2) Remove fee to participate in a specified provider network from prohibited fees. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, Seabaugh, and Thibaut voted yea.

Representative Talbot offered a motion to report House Bill No. 864 with amendments. Without objection, House Bill No. 864 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, and Thibaut voted yea.

### **House Bill No. 845 by Representative LeBas**

Representative LeBas presented House Bill No. 845, which provides relative to pharmacy benefit managers.

Witness cards submitted by individuals who did not speak are as follows: 16 in support and 4 in opposition. Witness cards are included in the committee records.

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 845. Without objection, action on House Bill No. 845 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, and Thibaut voted yea.

#### **House Bill No. 824 by Representative LeBas**

Representative LeBas presented House Bill No. 824, which prohibits assessment of a fee relating to the health insurance claims adjudication verification process on any healthcare provider or facility.

Witness cards submitted by individuals who did not speak are as follows: 21 in support and 4 in opposition. Witness cards are included in the committee records.

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 824. Without objection, action on House Bill No. 824 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Cromer, Davis, Pierre, and Thibaut voted yea.

#### **House Bill No. 1038 by Representative Anders**

Representative Anders presented House Bill No. 1038, which provides relative to valuation of life insurance reserves.

Tom Travis, Louisiana Department of Insurance, 1702 N. Third Street, Baton Rouge, LA 70801 (225) 342-2136, spoke for information only on House Bill No. 1038.

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

Representative Talbot offered an amendment to House Bill No. 1038, which proposed to specify which provisions of present law do not apply to a company applying the exemption to its reserves. Representative Talbot offered a motion to adopt the proposed amendment. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Talbot, Abraham, Chad Brown, Robby Carter, Cromer, Davis, Huval, Pierre, Seabaugh, and Thibaut voted yea.

Representative Talbot offered a motion to report House Bill No. 1038 with amendments. Without objection, House Bill No. 1038 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Robby Carter, Cromer, Davis, Huval, Pierre, Seabaugh, and Thibaut voted yea.

**House Bill No. 353 by Representative Jackson**

Representative Jackson presented House Bill No. 353, which requires disclosure of automobile liability insurance coverage limits to third party claimants under certain circumstances.

Lou Fey, La. Property and Casualty Commission, 2136 N. Woodchase, Baton Rouge, LA 70808 (225) 362-0018, spoke in opposition to House Bill No. 353.

Kevin Cunningham, American Insurance Association, 543 Spanish Town Road, Baton Rouge, LA 70820 (225) 381-0166, spoke in opposition to House Bill No. 353.

Chuck McMains, PCI, 8555 United Plaza Blvd, Baton Rouge, LA 70809 (225) 248-2000, spoke in opposition to House Bill No. 353.

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

Representative Robby Carter offered a motion to report House Bill No. 353 favorably, to which a substitute motion was made by Representative Seabaugh to involuntarily defer action on the bill. A roll call vote was taken on the substitute motion to involuntarily defer action on House Bill No. 353 which passed by a vote of 7 yeas and 3 nays. Representatives Talbot, Abraham, Cromer, Davis, Huval, Seabaugh, and Thibaut voted yea. Representatives Chad Brown, Robby Carter, and Pierre voted nay.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 11:33 a.m.

Respectfully submitted,

Chairman Kirk Talbot  
House Committee on Insurance

Date adopted: