

House Committee on Health and Welfare

Minutes of Meeting
2017 Regular Session
May 2, 2017

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.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley
Representative Charles R. Chaney
Representative Kenny R. Cox
Representative Dodie Horton
Representative Katrina R. Jackson
Representative Robert A. Johnson
Representative H. Bernard LeBas
Representative Dustin Miller
Representative Helena N. Moreno
Representative J. Rogers Pope
Representative Jerome Richard
Representative Joseph A. Stagni
Representative Julie Stokes
Representative Bob Hensgens, vice chairman
Representative Frank A. Hoffmann, chairman

MEMBERS ABSENT:

Representative Marcus L. Hunter

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms

Latricia F. Davis, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 314 by Representative Thomas**

Representative Hoffmann announced that action on House Bill No. 314, which requires LSU hospitals and public-private partnership hospitals to accept certain patients transferred by other hospitals, was voluntarily deferred.

House Bill No. 238 by Representative Billiot

Representative Billiot presented House Bill No. 238, which authorizes a request to suspend a license for nonpayment of child support to be made electronically.

Mr. Chip Coulter, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-5573, spoke to provide information only on House Bill No. 238.

Representative Stagni offered a motion to report House Bill No. 238 favorably. Without objection, House Bill No. 238 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 0 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Concurrent Resolution No. 36 by Representative Smith

Representative Smith presented House Concurrent Resolution No. 36, which requests a study and recommendations by the La. State Law Institute concerning the prospective use of the term "d/Deaf" in law.

Representative Cox offered a motion to report House Concurrent Resolution No. 36 favorably. Without objection, House Concurrent Resolution No. 36 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 0 in opposition, and 3 for information only. Witness cards are included in the committee records.

House Bill No. 305 by Representative Johnson

Representative Johnson presented House Bill No. 305, which provides for the regulation of the practice of physical therapy.

Representative Johnson offered amendments which clarify that the continuing education review fee is an annual fee and deletes the proposed course sponsor fee.

Ms. Courtney Newton, Louisiana Physical Therapy Board, 104 Fairlane Dr, Lafayette, LA 70507, (985) 402-3515, spoke to provide information only on House Bill No. 305.

Mr. Don Cassano, Jr., Louisiana Physical Therapy Board, 5991 Stonegate Dr, Alexandria, LA 71303, (318) 613-8782, spoke to provide information only on House Bill No. 305.

Representative Johnson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Johnson offered a motion to report House Bill No. 305 with amendments. Without objection, House Bill No. 305 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 486 by Representative Johnson

Representative Johnson presented House Bill No. 486, which provides relative to the state central registry for child abuse and neglect.

Ms. Mona Michelli, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-6827, spoke to provide information only on House Bill No. 486.

Ms. Candice LeBlanc, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-5744, spoke to provide information only on House Bill No. 486.

Representative Hoffmann offered amendments which make technical changes.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Johnson offered amendments, which require an appeal request be sent to the division of administration in lieu of DCFS.

Representative Johnson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Johnson offered a motion to report House Bill No. 486 with amendments. Without objection, House Bill No. 486 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 338 by Representative Pope

Representative Pope presented House Bill No. 338, which provides relative to the Louisiana Board of Examiners for Speech-Language Pathology and Audiology.

Representative Pope provided a handout, Exhibit A, which is included in the committee records.

Representative Pope offered amendments which make technical corrections.

Representative Pope offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Mr. Stephen Harris, Louisiana Board of Examiners for Speech, Pathology, and Audiology, 134 Carolyn Dr, Lafayette, LA 70508, (337) 280-4742, spoke to provide information only on House Bill No. 338.

Ms. Theresa Rodgers, Louisiana Board of Examiners for Speech, Pathology, and Audiology, 42189 Greenfield Crossing Dr, Prairieville, LA 70769, (225) 622-3205, spoke to provide information only on House Bill No. 338.

Representative Hensgens offered a motion to report House Bill No. 338 with amendments. Without objection, House Bill No. 338 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 253 by Representative Smith

Representative Smith presented House Bill No. 253, which revises terminology referring to the deaf and hard of hearing.

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

Mr. Jimmy Gore, Deaf Grassroots Movement of Louisiana, 464 E. Boyd Dr, Baton Rouge, LA 70802, spoke in support of House Bill No. 253.

Mr. Houston Moss, Louisiana Association for the Deaf, 3112 Valley Crk, Baton Rouge, LA 70808, (225) 341-6406, spoke in support of House Bill No. 253. Mr. Moss presented a handout, Exhibit C, which is included in the committee records.

Ms. Rana Ottallah, 4216 Lime St, Metairie, LA 70006, (504) 214-0718, spoke in support of House Bill No. 253.

Mr. Jay Isch, Deaf Grassroots Movement of Louisiana, 1000 Renard Dr #9, Scott, LA 70583, (774) 745-6715, spoke in support of House Bill No. 253.

Representative Moreno offered a motion to report House Bill No. 253 favorably. Without objection, House Bill No. 253 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 479 by Representative Horton

Representative Horton presented House Bill No. 479, which provides relative to prenatal neglect and reporting thereof.

Representative Horton offered amendments in the form of a substitute bill, which:

1. Retain the provisions of House Bill No. 479 Original.
2. Repeal a 2007 Act which conflicts with the provisions of House Bill No. 479.

3. Create a separate Subpart of law to address cases of substance-exposed infants which result from the mother's use of a controlled substance in a lawfully prescribed manner.

Representative Horton offered a motion to adopt the substitute bill. Without objection, the substitute bill was adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Hensgens is in the chair.

Ms. Linda Spradley, Spradley and Spradley, P.O. Box 85125, Baton Rouge, LA 70884, (225) 766-1359, provided a handout, Exhibit D, which is included in the committee records.

Ms. Moni Michelli, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-6827, spoke to provide information only on House Bill No. 479.

Mr. James Hoffman, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-5744, spoke to provide information only on House Bill No. 479.

Representative Horton offered a motion to report House Bill No. 479 by substitute. Without objection, House Bill No. 479 was reported by substitute by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, and Hensgens voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 341 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 341, which amends laws relative to behavioral health and mental health to provide for current practice and appropriate terminology.

Representative Hoffmann is in the chair.

Representative Dustin Miller offered amendments which:

1. Restore present law which includes nursing homes within the definition of "treatment facility".
2. Restore present law which provides that in the case of any involuntary hospitalization or judicial commitment as a result of an emergency certificate, the commitment or

hospitalization may be made to a facility specified in present law and proposed law.

3. Change the phrase "crime or misdemeanor" in present law and proposed law to "crime".

Representative Dustin Miller 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, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Cox offered a motion to report House Bill No. 341 with amendments. Without objection, House Bill No. 341 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, 0 in opposition, and 3 for information only. Witness cards are included in the committee records.

House Bill No. 395 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 395, which amends the procedures for involuntary mental health treatment.

Representative Dustin Miller offered amendments, which make technical changes, delete proposed law extending the maximum length of time for the conditional discharge of an individual subject to a judicial commitment, and limit LDH to presenting evidence regarding the placement of the respondent in proceedings for judicial commitment based upon mental illness or substance use disorders.

Representative Dustin Miller 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, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Dr. James Hussey, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 395.

Representative Cox offered a motion to report House Bill No. 395 with amendments. Without objection, House Bill No. 395 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 0 in opposition, and 2 for information only. Witness cards are included in the committee records.

House Bill No. 472 by Representative Gaines

Representative Gaines presented House Bill No. 472, which increases individual sewage fees imposed by the office of public health.

Representative Hoffmann offered amendments which:

1. Delete the following fee increases which had been provided in proposed law:
 - (a) An increase in the fee for each sewerage installer license from \$100 to \$150.
 - (b) An increase in the fee for each sewerage maintenance license from \$100 to \$150.
 - (c) An increase in the fee for each combination installer and maintenance license from \$100 to \$150.
 - (d) An increase in the fee for each sewerage treatment and interrelated systems inspection or related request associated with loanmaking procedures for existing residential and commercial properties from \$100 to \$150.
2. Make technical changes.

Ms. Melinda Richard, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 472.

Representative Hoffmann 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, Chaney, Cox, Horton, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Ms. Patrice Thomas, Louisiana Legislative Fiscal Office, 900 N 3rd St, Baton Rouge, LA 70802, (225) 342-7181, spoke to provide information only on House Bill No. 472.

Ms. Michelle Alletto, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9500, spoke to provide information only on House Bill No. 472.

Ms. Beth Scalco, Office of Public Health, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-8093, spoke to provide information only on House Bill No. 472.

Representative Jackson offered a motion to report House Bill No. 472 with amendments, to which Representative Bagley objected. The secretary called the roll, and the motion passed by a vote of 13 yeas and 2 nays. Representatives Chaney, Cox, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea. Representatives Bagley and Horton voted nay.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 0 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 414 by Representative Leger

Representative Leger presented House Bill No. 414, which revises license fee amounts for facilities and providers licensed by the Louisiana Department of Health.

Ms. Kim Humbles, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 414. Ms. Humbles presented a handout, Exhibit E, which is included in the committee records.

Representative Hoffmann offered amendments which:

1. Increase the initial licensing fee from \$150 to \$300.
2. Increase the annual license renewal fee from \$150 to \$300.
3. Delete a requirement that a delinquent fee of \$100 for failure to timely pay an annual license renewal fee be assessed and become due and payable at 12:01 a.m. on the 36th day following the date of the invoice by which the department bills the applicant or licensee for the annual license renewal fee. Inserts in lieu thereof a requirement that this \$100 fee be assessed and become due and payable at 12:01 a.m. on the first day following the expiration of the license.
4. Delete a requirement that ambulance services pay a delinquent fee of \$100 per ambulance and emergency medical response vehicle for failure to timely pay a vehicle inspection fee.
5. Delete a requirement that air ambulance services pay a delinquent fee of \$25 per aircraft for failure to timely pay an aircraft inspection fee.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Mr. Cecile Castello, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke to provide information only on House Bill No. 414.

Mr. Charles Castille, Rural Hospital Coalition, 450 Laurel St, Ste 1880, Baton Rouge LA 70801, (225) 389-9429, spoke in support of House Bill No. 414.

Mr. Kevin Hayes, Community Providers Association, 412 N 4th St, Ste 328, Baton Rouge, LA 70802, (225) 268-2725, spoke in opposition to House Bill No. 414.

Ms. Jennifer Marusak, Louisiana State Medical Society, 6767 Perkins Rd, Ste 100, Baton Rouge, LA 70808, (225) 763-8500, spoke in opposition to House Bill No. 414.

Representative Moreno offered a motion to report House Bill No. 414 with amendments, to which Representative Bagley objected. The secretary called the roll, and the motion passed by a vote of 8 yeas and 6 nays. Representatives Chaney, Cox, Jackson, LeBas, Moreno, Stagni, Stokes, and Hensgens voted yea. Representatives Bagley, Horton, Johnson, Pope, Richard, and Hoffmann voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business to discuss.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:22 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted: