

House Committee on Labor and Industrial Relations

Minutes of Meeting
2017 Regular Session
May 11, 2017

I. CALL TO ORDER

Representative Patrick O. Jefferson, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:32 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Patrick O. Jefferson, chairman
Representative Beryl A. Amedée
Representative Chris Broadwater, vice chairman
Representative Lawrence A. "Larry" Bagley
Representative Raymond J. Crews
Representative Gregory Cromer
Representative Reid Falconer
Representative Dodie Horton
Representative Marcus L. Hunter
Representative Edward C. "Ted" James, II
Representative Jack G. McFarland
Representative Vincent J. Pierre
Representative Edward J. "Ed" Price
Representative Alan Seabaugh
Representative Scott M. Simon

MEMBERS ABSENT:

Representative Kenny R. Cox
Representative Blake Miguez

STAFF MEMBERS PRESENT:

Shana Veade, attorney
Alana C. Madison, secretary
Nakita Garner, clerk
Faye Talbot, sergeant at arms
Vivian Hurst, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 592 by Representative Talbot

Representative Talbot presented House Bill No. 592, which provides for the creation of a workers' compensation pharmacy formulary.

Representative Broadwater offered an amendment which provides that House Bill No. 592 is enacted notwithstanding any other law or pharmacy formulary rule or regulation to the contrary. Representative Broadwater offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Jefferson, Amedee, Broadwater, Bagley, Crews, Falconer, Horton, James, McFarland, Pierre, Price, Seabaugh, and Simon voted yea.

Representative Broadwater offered an amendment to House Bill No. 592 which provides that in addition to the formulary being developed and updated that the accompanying supporting evidence and associated studies shall be included. Representative Broadwater offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Jefferson, Amedee, Broadwater, Bagley, Crews, Falconer, Horton, James, McFarland, Pierre, Price, Seabaugh, and Simon voted yea.

Mr. Mark Bellue, LUBA, 2351 Energy St., Baton Rouge, LA 70808, (225) 485-9417, mbellue@luba.com, spoke in support of House Bill No. 592.

Mr. Wayne Fontana, LA Association of Self Insured Employers, 1515 Poydras St., Ste. 2330, New Orleans, LA 70113, (504) 680-0156, wfontana@roedelparsons.com, spoke in support of House Bill No. 592.

Dr. Stephen M. Norwood, M.D., ODG/Work Loss Data Institute, 3006 Bee Cave Rd., Austin, TX 78746, (512) 590-2155, norwoods@austin.rr.com, spoke for information only on House Bill No. 592.

Mr. Trenton Oubre, LASIE, P.O. Box 3197, Baton Rouge, LA 70808, (225) 381-8059, spoke in support of House Bill No. 592.

Judge Sheral C. Kellar, Workers' Compensation Advisory Council, P.O. Box 94040, Baton Rouge, LA 70804, (225) 342-7561, skellar@lwc.la.gov, spoke for information only on House Bill No. 592.

Ms. Julie Cherry, Louisiana AFLCIO, 429 Government St., Baton Rouge, LA 70802, (225) 383-5741, spoke in opposition to House Bill No. 592.

Ms. Jenny Valois, Injured Workers, 111 Mercury St., Lafayette, LA 70508, (337) 230-3310, spoke in opposition to House Bill No. 592 and provided a handout, Exhibit A, which is included in the committee records.

Ms. Jennifer Marusak, Louisiana State Medical Society, 6767 Perkins Rd., Ste. 100, Baton Rouge, LA 70808, (225) 763-8500, jennifer@lsms.org, spoke in opposition to House Bill No. 592.

Dr. Paul Hubbell, LA State Medical Society, 6767 Perkins Rd., Ste. 100, Baton Rouge, LA 70808, (225) 763-8500, phubbel@bellsouth.net, spoke in opposition to House Bill No. 592.

Mr. Trey Mustian, L.W.A., 3117 22nd St., Ste. 6, Metairie, LA 70002, (504) 831-0666, spoke in opposition to House Bill No. 592.

Mr. Charles Davoli, Injured Workers, 6513 Perkins Rd., Baton Rouge, LA 70808, (225) 757-8908, spoke in opposition to House Bill No. 592.

Ms. Cindy Bishop, LA Orthopedic Assn., (225) 933-5435, spoke in opposition to House Bill No. 592.

Ms. Mary Lou Salley, Injured Workers, (318) 222-5200, mlsalley@yahoo.com, spoke in opposition to House Bill No. 592.

Ms. Shannon Lindsey, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, shannonl@raymurrylaw.com, spoke in opposition to House Bill No. 592.

Ms. Robin Krumholt, Injured Workers, 6513 Perkins Rd., Baton Rouge, LA 70808, (225) 757-8908, robiinkrumholt1@yahoo.com, spoke in opposition to House Bill No. 592.

Mr. Carlos Luna, Reed Group, 10359 Westmoor Dr., Westminster, CO 80021, (303) 407-0682, cluna@reedgroup.com, spoke in opposition to House Bill No. 592 and provided a handout, Exhibit B, which is included in the committee records.

Mr. Joseph Jolissaint, 9191 Siegen Lane, Ste. 4B, Baton Rouge, LA 70810, (225) 757-5600, joseph@jolissaintlaw.com, spoke in opposition to House Bill No. 592.

Representative Hunter offered amendments to House Bill No. 592 which provides that rules be promulgated, reviewed and updated by a committee. Representative Hunter offered a motion to adopt the proposed amendments, to which Representative Broadwater objected. The secretary called the roll, and the motion failed to pass by a vote of 5 yeas and 8 nays. Representatives Jefferson, Hunter, James, Pierre, and Price voted yea. Representatives Amedee, Broadwater, Crews, Falconer, Horton, McFarland, Seabaugh, and Simon voted nay.

Representative Broadwater offered a motion to report House Bill No. 592 with amendments, to which Representative Price objected. The secretary called the roll, and House Bill No. 592 was reported with amendments by a vote of 8 yeas and 5 nays. Representatives Amedee, Broadwater, Crews, Falconer, Horton, McFarland, Seabaugh, and Simon voted yea. Representatives Jefferson, Hunter, James, Pierre, and Price voted nay.

Witness cards submitted by individuals who did not speak are as follows: 30 in support, 14 in opposition, and 3 for information only.

IV. ADOPTION OF MINUTES

The minutes from the 2016 Regular Session dated March 17, March 31, April 14, May 5, May 19, and May 25 were presented for approval. Representative Broadwater offered a motion to approve the minutes. Without objection, the minutes were adopted by a vote of 13 yeas and 0 nays. Representatives Jefferson, Amedee, Broadwater, Crews, Falconer, Horton, Hunter, James, McFarland, Pierre, Price, Seabaugh, and Simon voted yea.

V. OTHER BUSINESS

There was no other business.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

The meeting was adjourned at 12:34 p.m.

Respectfully submitted,

Chairman Patrick O. Jefferson
House Committee on Labor and Industrial Relations

Date adopted: