

## House Committee on Appropriations

Minutes of Meeting  
2018 Regular Session  
April 24, 2018

### I. CALL TO ORDER

Representative Cameron Henry, Chairman of the House Committee on Appropriations, called the meeting to order at 9:41 a.m. in Room 5, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### II. ROLL CALL

#### MEMBERS PRESENT:

Representative Cameron Henry, Chairman  
Representative Beryl A. Amedée  
Representative Tony Bacala  
Representative Lawrence A. "Larry" Bagley  
Representative John A. Berthelot  
Representative Robert E. Billiot  
Representative Gary M. Carter, Jr.  
Representative Rick Edmonds  
Representative Franklin J. Foil, Vice Chairman  
Representative Lance Harris  
Representative Bob Hensgens  
Representative Valarie Hodges  
Representative Jack G. McFarland  
Representative Blake Miguez  
Representative Jerome Richard  
Representative Patricia Haynes Smith  
Representative Jerome "Zee" Zeringue

#### MEMBERS ABSENT:

Representative Mark Abraham  
Representative James K. Armes, III  
Representative Charles R. Chaney  
Representative Reid Falconer  
Representative Walt Leger, III  
Representative Dustin Miller  
Representative Steve E. Pylant  
Representative Scott M. Simon

**STAFF MEMBERS PRESENT:**

Ms. Katie Andress, Secretary  
Mr. Peter G. E. Conroy, Legislative Analyst

**ADDITIONAL ATTENDEES PRESENT:**

Ms. Vivian Hurst, Sergeant at Arms  
Ms. Faye Talbot, Sergeant at Arms

**IV. OTHER BUSINESS**

Mr. W. Jeff Reynolds, Undersecretary, La. Dept. of Health (LDH), 628 North Fourth Street, Baton Rouge, LA 70802, (225) 342-9509, discussed Medicaid and public/private partnerships (PPP) with Representatives Henry and Smith.

Mr. Reynolds and Representative Amedée discussed funding levels from Exhibit A, Representative Lance Harris' amendment, the governor's request for the public private partnerships, self generated fees, and state general fund.

Commissioner Dardenne, Mr. Reynolds, and Ms. Jen Steele, Medicaid Director, 628 North Fourth Street, Baton Rouge, LA 70802, (225) 342-9509, discussed Disproportionate Share Hospital (DSH), Uncompensated Care Costs (UCC), and Upper Payment Limit (UPL), the national model compared to how Louisiana handles payments, and long-term care special income level program with Representative Bacala.

Commissioner Dardenne, Mr. Reynolds, and Ms. Steele discussed supplemental payments, hospital closures, UCC payments, and nursing home cuts, with Representatives Hensgens, Carter, Henry and Bacala.

**III. DISCUSSION OF LEGISLATION****House Bill No. 229 by Representative Bacala**

Representative Bacala presented House Bill No. 229, which provides relative to the allocation of expenditures in the operating budget.

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

Commissioner Dardenne spoke for information only on House Bill No. 229.

Representative Miguez offered a motion to report House Bill No. 229 favorably. Without objection, House Bill No. 229 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Henry,

Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Smith, and Zeringue 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. 272 by Representative Hall**

Representative Hall presented House Bill No. 272, which provides with respect to group purchasing of materials, equipment, and supplies.

Representative Berthelot offered amendments which: (1) remove the provision authorizing purchases through a group purchasing organization if there is no applicable state contract or bid list; and (2) restore the provision for validity of the price list as a bid during the effective period of the agreement. Representative Berthelot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hodges, McFarland, Miguez, Smith, and Zeringue voted yea.

Mr. Scott Richard, Louisiana School Boards Association, 7912 Summa Avenue, Baton Rouge, LA 70809, (337) 278-5398, spoke in support of House Bill No. 272.

Representative Berthelot offered a motion to report House Bill No. 272 with amendments. Without objection, House Bill No. 272 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hodges, McFarland, Miguez, Smith, and Zeringue voted yea.

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

### **House Bill No. 163 by Representative Mack**

Representative Mack presented House Bill No. 163, which creates the Medicaid Recipient Fraud Unit within the office of the attorney general.

Representative Henry offered technical amendments. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Richard, Smith, and Zeringue voted yea.

Mr. Ellison Travis, Louisiana Department of Justice, 1885 North Third Street, Baton Rouge, LA 70802, (225) 326-0211, spoke for information only on House Bill No. 163.

Mr. Shawn Hotstream, Health & Social Services Section Director, Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-7233, spoke for information only on House Bill No. 163.

Representative Miguez offered a motion to report House Bill No. 163 with amendments, to which Representative Smith objected. The secretary called the roll, and House Bill No. 163 was reported with amendments by a vote of 13 yeas and 2 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Miguez, Richard, and Zeringue voted yea. Representatives Gary Carter and Smith voted nay.

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

#### **House Bill No. 262 by Representative McFarland**

Representative Henry offered a motion to voluntarily defer action on House Bill No. 262, which requires prior approval of the Joint Legislative Committee on the Budget of request for proposals, contracts, and cooperative endeavor agreements over a specified dollar amount. Without objection, action on House Bill No. 262 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Smith, and Zeringue voted yea.

#### **House Bill No. 530 by Representative Barras**

Representative Henry offered a motion to voluntarily defer action on House Bill No. 530, which provides for changes in the expenditure limit calculation. Without objection, action on House Bill No. 530 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Smith, and Zeringue voted yea.

#### **House Bill No. 540 by Representative Barras**

Representative Henry offered a motion to voluntarily defer action on House Bill No. 540, a constitutional amendment which provides for changes to the expenditure limit calculation. Without objection, action on House Bill No. 540 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Smith, and Zeringue voted yea.

#### **House Concurrent Resolution No. 5 by Representative Barras**

Representative Barras presented House Concurrent Resolution No. 5, which reduces the expenditure limit for FY 2018-2019.

Mr. W. Jeff Reynolds, Undersecretary, Louisiana Department of Health (LDH), P.O. Box 3797, Baton Rouge, LA 70821, (225) 342-6726, spoke for information only on House Concurrent Resolution No. 5 and provided a handout, Exhibit A, which is included in the committee records.

Ms. Jen Steele, Medicaid Director, LDH, 628 North Fourth Street, Baton Rouge, LA 70802, (337) 354-5750, spoke for information only on House Concurrent Resolution No. 5.

Commissioner Jay Dardenne, Division of Administration, 1201 North Third Street, Suite 7-210, Baton Rouge, LA 70802, (225) 342-7000, spoke for information only on House Concurrent Resolution No. 5.

Mr. Stephen Russo, Executive Counsel, LDH, 628 North Fourth Street, Baton Rouge, LA 70802, (225) 342-6726, spoke for information only on House Concurrent Resolution No. 5.

Representative Foil offered a motion to report House Concurrent Resolution No. 5 favorably. Without objection, House Concurrent Resolution No. 5 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, and Smith voted yea.

#### **House Bill No. 689 by Representative Stokes**

Representative Stokes presented House Bill No. 689, which provides for coverage for fertility preservation for individuals diagnosed with cancer.

Representative Henry offered a motion to voluntarily defer action on House Bill No. 689. Without objection, action on House Bill No. 689 was voluntarily deferred by a vote of 17 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Richard, Smith, and Zeringue voted yea.

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

#### **House Bill No. 163 by Representative Mack**

Representative Mack presented House Bill No. 163, which creates the Medicaid Recipient Fraud Unit within the office of the attorney general.

Representative Henry offered technical amendments. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, Richard, Smith, and Zeringue voted yea.

Mr. Ellison Travis, Louisiana Department of Justice, 1885 North Third Street, Baton Rouge, LA 70802, (225) 326-0211, spoke for information only on House Bill No. 163.

Mr. Shawn Hotstream, Health & Social Services Section Director, Legislative Fiscal Office, 900 North Third Street, Baton Rouge, LA 70802, (225) 342-7233, spoke for information only on House Bill No. 163.

Representative Miguez offered a motion to report House Bill No. 163 with amendments, to which Representative Smith objected. The secretary called the roll, and House Bill No. 163 was reported with amendments by a vote of 13 yeas and 2 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Edmonds, Foil, Lance Harris, Hensgens, Hodges, Miguez, Richard, and Zeringue voted yea. Representatives Gary Carter and Smith voted nay.

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

### **House Bill No. 849 by Representative Lance Harris**

Representative Lance Harris presented House Bill No. 849, which provides for certain requirements for specified agency heads including prohibitions on engaging in outside activities or employment for any thing of economic value.

Representative Berthelot offered amendments which includes "or she" to "he" throughout the bill. After further discussion, Representative Berthelot withdrew the proposed amendments. No vote was taken.

Representative Miguez offered a motion to report House Bill No. 849 favorably. Without objection, House Bill No. 849 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

### **House Bill No. 256 by Representative Foil**

Representative Foil presented House Bill No. 256, which creates the TOPS Income Fund.

Representative Gary Carter offered a motion to report House Bill No. 256 favorably. Without objection, House Bill No. 256 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

### **House Bill No. 487 by Representative Zeringue**

Representative Zeringue presented House Bill No. 487, which creates a program for education savings accounts for tuition expenses for elementary and secondary schools.

Representative Zeringue offered amendments which: (1) adds a transitional provision allowing funds deposited prior to January 1, 2018, to a START account to be disbursed in 2018 for K-12 tuition, limited to \$10,000 per beneficiary; (2) adds an exception to the confidentiality of Dept. of Revenue

records for purposes of the START K12 program; and (3) makes proposed law effective upon the governor's signature. Representative Zeringue also offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Zeringue offered a motion to report House Bill No. 487 with amendments. Without objection, House Bill No. 487 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

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

### **House Bill No. 2 by Representative Abramson**

Representative Abramson presented House Bill No. 2, which provides for the comprehensive Capital Outlay budget.

Representative Henry offered a set of in-globo amendments, Exhibit C, which is included in the committee records. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Berthelot offered a motion to report House Bill No. 2 with amendments. Without objection, House Bill No. 2 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Henry offered a motion to make House Bill No. 2 Special Order for Monday, April 30, 2018. Without objection, the motion passed by a vote of 15 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Foil, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

### **House Bill No. 379 by Representative Henry**

Representative Henry presented House Bill No. 379, which provides for the transfer, deposit, and use of certain treasury funds.

Representative Henry offered amendments which: (1) deletes the allocation of the FY 17 surplus to the state retirement systems and (2) adds the repeal of R.S. 39:100.21(B).

Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala,

Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

**House Bill No. 874 by Representative Henry**

Representative Henry presented House Bill No. 874, which makes supplemental appropriations for Fiscal Year 2017-2018.

Representative Henry offered amendments for certain changes to allocations for the State General Fund, Interagency Transfers, Fees and Self-generated Revenue, Statutory Dedications, and Federal Funds. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Gary Carter offered amendments to add a judgement in the set of judgements to be funded in the bill. Representative Gary Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Edmonds offered amendments to allocate \$1,250,000 from funds estimated to be Medicaid surplus to be used exclusively for actuary services to update capitation rates for the purpose of implementing managed long term care services and supports. After further discussion, Representative Edmonds withdrew the proposed amendments. No vote was taken.

Representative Zeringue offered amendments to restore certain funding to the Coastal Protection and Restoration Fund. Representative Zeringue offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Mr. Reynolds spoke for information only on House Bill No. 874.

Commissioner Dardenne spoke for information only on House Bill No. 874.

Mr. Mark Berger, Executive Director, Louisiana Nursing Home Association, 7844 Office Park Blvd., Baton Rouge, LA 70809, (225) 927-5642, spoke in opposition to House Bill No. 874, and provided a handout, Exhibit D, which is included in the committee records.

Mr. Jim Tucker, President and Chief Executive Officer of CommCare Corp., 950 West Causeway Approach, Mandeville, LA 70471, spoke in opposition to House Bill No. 874.



Representative Henry offered a motion to report House Bill No. 874 with amendments. Without objection, House Bill No. 874 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Henry offered a motion to make House Bill No. 874 Special Order for Monday, April 30, 2018. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Henry offered a motion to allow staff the ability to make technical changes to House Bill No. 874. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 38 in opposition, and 1 for information only. Witness cards are included in the committee records.

#### **House Bill No. 528 by Representative Henry**

Representative Henry presented House Bill No. 528, which requires access to records and files for certain contracts to perform governmental functions.

Representative Henry offered technical amendments. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Henry offered a motion to report House Bill No. 528 with amendments. Without objection, House Bill No. 528 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

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

#### **House Bill No. 380 by Representative Jackson**

On behalf of Representative Jackson, Representative Lance Harris presented House Bill No. 380, which creates an individual income tax checkoff for the Uninsured Medical Catastrophe Donation and dedicates the monies to the Uninsured Medical Catastrophe Fund.

Representative Henry offered technical amendments. Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14

yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Henry offered amendments to delete reference to deposits into the fund from "any other source". Representative Henry offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

Representative Lance Harris offered a motion to report House Bill No. 380 with amendments. Without objection, House Bill No. 380 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

## **V. ANNOUNCEMENTS**

There were no announcements.

## **VI. ADJOURNMENT**

Representative Berthelot offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Henry, Amedée, Bacala, Bagley, Berthelot, Billiot, Gary Carter, Edmonds, Lance Harris, Hensgens, Hodges, McFarland, Miguez, and Zeringue voted yea.

The meeting was adjourned at 12:39 p.m.

Respectfully submitted,

Chairman Cameron Henry  
House Committee on Appropriations