

## **House Committee on Health and Welfare**

Minutes of Meeting  
2018 Regular Session  
April 5, 2018

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

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:07 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 Marcus L. Hunter  
Representative Katrina R. Jackson  
Representative Robert A. Johnson  
Representative H. Bernard LeBas  
Representative J. Rogers Pope  
Representative Joseph A. Stagni  
Representative Bob Hensgens, vice chairman  
Representative Frank A. Hoffmann, chairman

#### **MEMBERS ABSENT:**

Representative Dustin Miller  
Representative Helena N. Moreno  
Representative Jerome Richard  
Representative Julie Stokes

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

Bethany Blackson, attorney  
Drew Murray, legislative analyst  
Felicie Jackson, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Faye Talbot, sergeant at arms  
Malik Smith, committee clerk

**III. DISCUSSION OF LEGISLATION****House Concurrent Resolution No. 21 by Representative Garofalo**

Representative Garofalo presented House Concurrent Resolution No. 21, which requests the Department of Children and Family Services to study the expedited process fee paid by child support obligors.

Gary Franklin, Department of Children and Family Services, 627 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-4785, spoke for information only on House Concurrent Resolution No. 21.

Lydia Scales, Department of Children and Family Services, 627 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-1312, spoke for information only on House Concurrent Resolution No. 21.

Representative Hensgens offered a motion to report House Concurrent Resolution No. 21 favorably. Without objection, House Concurrent Resolution No. 21 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Horton, Jackson, LeBas, Pope, 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 0 for information only. Witness cards are included in the committee records.

**House Bill No. 258 by Representative Garofalo**

Representative Garofalo presented House Bill No. 258, which provides for a limited exception to the moratorium on additional nursing facilities.

Mark Berger, Louisiana Nursing Home Association, 7844 Office Park Blvd, Baton Rouge, LA 70809, (225) 927-5642, spoke in opposition to House Bill No. 258.

Representative Hoffmann offered a motion to voluntarily defer action on House Bill No. 258. Without objection, action on House Bill No. 258 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 579 by Representative James**

Representative James presented House Bill No. 579, which provides relative to the authorization for therapeutic use of marijuana.

David Brown, Sensible Marijuana Policy for Louisiana, P.O. Box 14272, Baton Rouge, LA 70898, (225) 255-1030, spoke in support of House Bill No. 579.

Tony Guarisco, 266 Seyburn Dr, Baton Rouge, LA 70808, (225) 326-0103, spoke in support of House Bill No. 579.

Jacob Irving, 18541 Bay Ridge Ct, Baton Rouge, LA 70817, (225) 485-5743, spoke in support of House Bill No. 579. Jacob Irving provided two handouts, Exhibits A and B, which are included in the committee records.

Tony Landry, Louisiana Vets for Medical Cannabis, 21370 Hwy 26, Jennings, LA 70546, spoke in support of House Bill No. 579.

Jonathan Brown, Louisiana Vets for Medical Cannabis, 3885A Jena St, New Orleans, LA 70125, (504) 390-4216, spoke in support of House Bill No. 579.

Brian Greer, 908 Marteau Rd, Broussard, LA 70518, (337) 445-8565, spoke in support of House Bill No. 579.

Brandi Melissa, P.O. Box 1171, Baton Rouge, LA 70821, (225) 223-0271, spoke in opposition to House Bill No. 579.

Dr. Will Hall, 1250 MacArthur Dr, Alexandria, LA 71309, (318) 449-4348, spoke in opposition to House Bill No. 579.

Representative Kenny Cox, 300 High School St, Mansfield, LA 71052, no phone number provided, spoke in support of House Bill No. 579.

Gary Patureau, Louisiana Association of Self-Insured Employers, P.O. Box 4157, Baton Rouge, LA 70821, (225) 338-0705, spoke in opposition to House Bill No. 579.

Representative Hoffmann offered amendments which:

1. Revise proposed law defining "marijuana preparations" to provide that such preparations can be any form authorized by and consistent with the rules adopted by the La. Board of Pharmacy.

2. Amend present law relative to prescription of medical marijuana to reflect amendments proposed law makes in present law relative to recommendation of medical marijuana.

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, Cox, Horton, Hunter, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

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 Bagley, Chaney, Cox, Horton, Johnson, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Representative Cox offered a motion to report House Bill No. 579 with amendments, to which Representative Horton objected. The secretary called the roll, and House Bill No. 579 was reported with amendments by a vote of 8 yeas and 4 nays. Representatives Bagley, Cox, Hunter, Jackson, Johnson, LeBas, Stagni, and Hensgens voted yea. Representatives Chaney, Horton, Pope, and Hoffmann voted nay.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 3 in opposition, and 2 for information only. Witness cards are included in the committee records.

#### **House Bill No. 384 by Representative Talbot**

Representative Talbot presented House Bill No. 384, which creates and provides for a state prescription drug importation program.

Pete Martinez, Pharmaceutical Research and Manufacturers of America, 830 N St, Baton Rouge, LA 70808, (225) 379-3232, provided a handout, Exhibit C, which is included in committee records.

Representative Hoffmann offered a motion to voluntarily defer action on House Bill No. 384. Without objection, action on House Bill No. 384 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Hunter, Jackson, Johnson, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 9 in opposition, and 2 for information only. Witness cards are included in the committee records.

*Representative Hensgens is in the chair.*

**House Bill No. 243 by Representative Talbot**

Representative Talbot presented House Bill No. 243, which prohibits a manufacturer or wholesale distributor from engaging in price gouging in the sale of an essential off-patent or generic drug.

Representative Hensgens offered amendments which:

1. Revise the definition of "essential off-patent or generic drug" in proposed law to provide that such drug, in part, is one that is marketed under section 505 of the federal Food, Drug and Cosmetic Act and all exclusive marketing rights for it pursuant to that law, if any, have expired and exclusivity under federal patent law has expired.
2. Increase the price threshold for a 30-day supply of, or full course of treatment with, a drug that triggers a violation of proposed law from \$80 to \$100.
3. Extend the time period within which a manufacturer of an essential off-patent or generic drug must respond to certain requests from the attorney general relative to drug costs and pricing from 45 days to 90 days.
4. Make technical changes.

Representative Hensgens offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Jackson, Johnson, LeBas, Pope, Stagni, and Hensgens voted yea.

*Representative Hoffmann is in the chair.*

Brett Michelin, Association for Accessible Medicines, 601 New Jersey Ave, Washington, DC 20001, (202) 249-7100, spoke in opposition to House Bill No. 243.

Representative Hensgens offered a motion to report House Bill No. 243 with amendments. Without objection, House Bill No. 243 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Hunter, Jackson, Johnson, LeBas, Pope, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, 1 in opposition, and 0 for information only. Witness cards are included in the committee records.

**House Bill No. 710, by Representative Hollis**

Representative Hoffmann announced that action on House Bill No. 710, which prohibits a manufacturer or wholesale distributor from engaging in unrestrained price increases in the sale of an essential off-patent or generic drug, was voluntarily deferred.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 11:51 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann  
House Committee on Health and Welfare

Date adopted: