

House Committee on Health and Welfare

Minutes of Meeting
2018 Regular Session
April 11, 2018

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:05 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 Dustin Miller
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:

None

STAFF MEMBERS PRESENT:

Bethany Blackson, attorney
Drew Murray, legislative analyst
Felicie Jackson, secretary
Malik Smith, committee clerk

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Vivian Hurst, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 324 by Representative Foil**

Representative Hoffmann announced that action on House Bill No. 324, which provides relative to the La. State Board of Medical Examiners, was voluntarily deferred.

House Bill No. 470 by Representative Stokes

Representative Hoffmann announced that action on House Bill No. 470, which creates and provides for the Louisiana Medical Research Fund, was voluntarily deferred.

House Bill No. 362 by Representative Hoffmann

Representative Hoffmann announced that action on House Bill No. 362, which provides relative to the state's system of Medicaid-funded long-term care, was voluntarily deferred.

House Bill No. 517 by Representative Schexnayder

Representative Schexnayder presented House Bill No. 517, which provides relative to public water systems.

Representative Hoffmann offered amendments in the form of a substitute bill. 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, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Hensgens offered a motion to report House Bill No. 517 by substitute. Without objection, House Bill No. 517 was reported by substitute by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Dustin Miller, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

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

Representative Hensgens is in the chair.

House Bill No. 768 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 768, which provides relative to reporting of child abuse and neglect in military families.

Representative Cox offered a motion to report House Bill No. 768 favorably. Without objection, House Bill No. 768 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Jackson, LeBas, Dustin Miller, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann 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. 492 by Representative Bagley

Representative Hensgens announced that action on House Bill No. 492, which requires that pharmacists report to certain parties when refills of certain psychiatric medications go undispensed, was voluntarily deferred.

House Bill No. 657 by Representative Simon

Representative Simon presented House Bill No. 657, which requires interoperability of electronic health records.

Dr. Catherine Williams, 104 Innwood Rd, Covington, LA 70435, (504) 628-3757, spoke in support of House Bill No. 657.

Dr. David Powers, 217 Cherokee Rose Ln, Covington, LA 70433, (985) 789-6605, spoke in support of House Bill No. 657.

Representative Hensgens offered a motion to voluntarily defer action on House Bill No. 657. Without objection, action on House Bill No. 657 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Pope, Richard, Stagni, and Hensgens voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 5 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 846 by Representative Simon

Representative Simon presented House Bill No. 846, which provides relative to water system testing at certain businesses which apply for or hold retail food permits.

John d'Hemecourt, Abita Quail Farm, 23185 Hwy 435, Abita Springs, LA 70420, (985) 892-5176, spoke in support of House Bill No. 846.

Representative Hensgens offered amendments, which revise proposed law to provide that the rules and regulations required by present law relative to regulation of retail food establishments shall not apply to a retail food establishment which is open to the public for fewer than 180 days per year and has a water system with fewer than 15 service connections.

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, Horton, LeBas, Pope, Richard, Stagni, and Hensgens voted yea.

Representative Hensgens offered a motion to report House Bill No. 846 with amendments. Without objection, House Bill No. 846 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Pope, Richard, Stagni, and Hensgens 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. 780 by Representative Magee

Representative Magee presented House Bill No. 780, which provides for an independent review process in Medicaid managed care program for dental services claims.

Representative Stagni offered a motion to report House Bill No. 780 favorably. Without objection, House Bill No. 780 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, 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 0 for information only. Witness cards are included in the committee records.

House Bill No. 823 by Representative Magee

Representative Magee presented House Bill No. 823, which repeals the termination date of laws authorizing the recommendation or prescription of medical marijuana in the treatment of certain debilitating medical conditions.

Representative Richard offered a motion to report House Bill No. 823 favorably. Without objection, House Bill No. 823 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Pope, Richard, Stagni, and Hensgens voted yea.

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

House Bill No. 783 by Representative Huval

Representative Huval presented House Bill No. 783, which provides for the maximum amount of fees assessed on emergency ground ambulance service providers.

Allyson Pharr, Acadian Ambulance, 130 E Kaliste Saloom, Lafayette, LA 70508, (337) 391-3304, spoke in support of House Bill No. 783.

Jeff Reynolds, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9500, spoke for information only on House Bill No. 783.

Representative LeBas offered a motion to report House Bill No. 783 favorably. Without objection, House Bill No. 783 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Hunter, Johnson, LeBas, Pope, Richard, Stokes, and Hensgens 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. 821 by Representative Reynolds

Representative Reynolds presented House Bill No. 821, which provides relative to procedures for HIV testing in cases of possible exposure in certain healthcare settings and emergency situations.

Shane Spellman, Professional Fire Fighters, 8011 Merle Gustafson, Baton Rouge, LA 70811, (225) 315-9521, spoke in support of House Bill No. 821.

Representative LeBas offered a motion to report House Bill No. 821 favorably. Without objection, House Bill No. 821 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Pope, Richard, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 1 in opposition, and 0 for information only. Witness cards are included in the committee records.

Representative Hoffmann is in the chair.

House Bill No. 110 by Representative Horton

Representative Horton and Representative Stefanski presented House Bill No. 110, which provides relative to the placement of children in the custody of the Dept. of Children and Family Services.

Representative Hoffmann offered amendments which:

1. Give the department the authority to determine placement of children in its custody.
2. Add that upon motion of the court, for good cause shown, a contradictory hearing shall be held and thereafter, the presiding judge shall have the authority to disapprove a placement chosen by the department if it is in the best interest of the child.
3. Make technical changes.

Representative Hoffmann 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, Cox, Horton, Johnson, LeBas, Pope, Richard, Stokes, Hensgens, and Hoffmann voted yea.

Chip Coulter, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-5573, spoke for information only on House Bill No. 110.

Representative Hoffmann offered a motion to report House Bill No. 110 with amendments. Without objection, House Bill No. 110 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Johnson, LeBas, Pope, Richard, Hensgens, and Hoffmann voted yea.

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

House Bill No. 750 by Representative Stagni

Representative Stagni presented House Bill No. 750, which provides relative to educational qualifications of applicants to the La. Board of Chiropractic Examiners.

Patricia Oliver, Louisiana Board of Chiropractic Examiners, 8621 Summa Blvd, Baton Rouge, LA 70809, (225) 765-2322, spoke for information only on House Bill No. 750.

Representative Cox offered a motion to report House Bill No. 750 favorably. Without objection, House Bill No. 750 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, 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 0 for information only. Witness cards are included in the committee records.

House Bill No. 827 by Representative Pierre

Representative Hoffmann announced that action on House Bill No. 827, which extends the termination date of law authorizing recommendation or prescription of medical marijuana, was voluntarily deferred.

House Bill No. 820 by Representative Jackson

On behalf of Representative Jackson, Representative Stagni presented House Bill No. 820, which provides relative to the practice of chiropractic.

Representative Hensgens offered a motion to report House Bill No. 820 favorably. Without objection, House Bill No. 820 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, LeBas, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

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

House Bill No. 826 by Representative Hunter

Representative Hunter presented House Bill No. 826, which requires that a minimum proportion of the state's marijuana pharmacy licenses be granted to minority-owned businesses.

"Further action was taken by the committee on April 17, 2018, on House Bill No. 826. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 826."

Malcolm Broussard, Board of Pharmacy, 3388 Brentwood Dr, Baton Rouge, LA 70809, (225) 925-6481, spoke for information only on House Bill No. 826.

Representative Hunter offered a motion to voluntarily defer action on House Bill No. 826. Without objection, action on House Bill No. 826 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hunter, Jackson, LeBas, 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 0 for information only. Witness cards are included in the committee records.

House Bill No. 829 by Representative Hunter

Representative Hunter presented House Bill No. 829, which provides for public water supply testing by public water systems.

Representative Hunter offered a motion to voluntarily defer action on House Bill No. 829. Without objection, action on House Bill No. 829 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hunter, Jackson, LeBas, Pope, Richard, Stagni, Stokes, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 12 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 778 by Representative Jackson

Representative Jackson presented House Bill No. 778, which provides relative to investigations of physicians conducted by the La. State Board of Medical Examiners.

Johnny Koch, Hospital Corporation of America/American Well, 8440 Jefferson Hwy, Ste 301, Baton Rouge, LA 70809, no phone number provided, spoke in support of House Bill No. 778.

Dr. Vincent Culotta, Louisiana State Board of Medical Examiners, 630 Camp St, New Orleans, LA 70130, (504) 905-2719, spoke for information only on House Bill No. 778.

Representative Hensgens offered amendments which:

1. Delete proposed law requiring that the lead investigator for any complaint regarding a physician received by the La. State Board of Medical Examiners (hereafter, the "board"), or any investigation regarding a physician initiated by the board upon its own motion, shall be an attorney.
2. Increase the number of members of the board from seven to nine by adding to the board the following members:
 - a. One member from a list submitted by the La. Hospital Association.
 - b. One consumer member who shall be a full voting member, except that he shall not participate in any adverse licensure action initiated by the board.
3. Establish the qualifications of the consumer member who is to be added to the board's membership.

4. Require the board to appoint a director of investigations, who shall be a La.-licensed physician and has engaged in the active practice of medicine for at least five years, to act as the lead investigator for any complaint regarding a physician received by the board or any investigation regarding a physician initiated by the board upon its own motion. Provide that the director of investigations shall serve at the pleasure of the board and be answerable directly to the board. Prohibit the director of investigations from concurrently serving as the executive director of the board.
5. Require that the board shall only initiate an investigation based upon a complaint received from a person other than an employee of the board, or upon the duly adopted motion of the board making a finding that probable cause exists to conclude that a violation of any provision of present law or present administrative code may have occurred.

Representative Hensgens offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Chaney, Cox, Horton, Jackson, Johnson, Stagni, Hensgens, and Hoffmann voted yea.

Representative Hensgens offered a motion to report House Bill No. 778 with amendments. Without objection, House Bill No. 778 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Chaney, Cox, Horton, Hunter, Jackson, Johnson, Dustin Miller, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 0 in opposition, and 0 for information only. Witness cards are included in the committee records.

House Bill No. 818 by Representative Hilferty

Representative Hilferty presented House Bill No. 818, which creates the Healthy Moms, Healthy Babies Advisory Council.

Amy Zapata, Louisiana Department of Health, 628 N 4th St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 818.

Nick Albares, Office of the Governor, P.O. Box 94004, Baton Rouge, LA 70802, (504) 330-1245, spoke in support of House Bill No. 818.

Representative Stagni offered a motion to report House Bill No. 818 favorably. Without objection, House Bill No. 818 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Chaney, Cox, Horton, Hunter, Jackson, Johnson, Dustin Miller, Pope, Richard, Stagni, Stokes, and Hoffmann voted yea.

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

House Bill No. 728 by Representative Leger

Representative Hoffmann announced that action on House Bill No. 728, which provides relative to standards for Medicaid-funded substance use disorder treatment, was voluntarily deferred.

House Bill No. 647 by Representative Norton

Representative Hoffmann announced that action on House Bill No. 647 by Representative Norton, which requires the La. Department of Health to implement the Medicaid health home option for persons with serious mental illness, was voluntarily deferred.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted: