

House Committee on Insurance

Minutes of Meeting
2018 Regular Session
April 12, 2018

I. CALL TO ORDER

Representative Kirk Talbot, chairman of the House Committee on Insurance, called the meeting to order at 10:06 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Kirk Talbot, chairman
Representative Major Thibaut, vice chairman
Representative Mark Abraham
Representative John F. "Andy" Anders
Representative Chad Brown
Representative Paula P. Davis
Representative Cedric B. Glover
Representative Mike Huval
Representative Edmond Jordan
Representative Vincent J. Pierre

MEMBERS ABSENT:

Representative Robby Carter
Representative Gregory Cromer
Representative Paul Hollis
Representative Alan Seabaugh

STAFF MEMBERS PRESENT:

Brandi Cannon, attorney
Christie L. Russell, secretary

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms
Hunter Sikaffy, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 729 by Representative Marcelle

Representative Talbot offered a motion to voluntarily defer action on House Bill No. 729, which provides relative to bail bond premium fees in certain parishes. Without objection, action on House Bill No. 729 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Senate Bill No. 138 by Senator Luneau

Senator Luneau presented Senate Bill No. 138, which provides for out-of-state automobile insurance coverage.

Representative Talbot offered a motion to report Senate Bill No. 138 favorably. Without objection, Senate Bill No. 138 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

House Bill No. 875 by Representative Talbot

Representative Talbot presented House Bill No. 875, which provides relative to health insurance network provider directories.

Jeff Drozda, LAHP, 450 Laurel Street, Suite 1850, Baton Rouge, LA 70801, spoke for information only on House Bill No. 875.

Representative Talbot offered amendments to House Bill No. 875, which 1) Change the time period for correcting or updating information as necessary pursuant to the ongoing review of the directory from not less than once every five business days to not less than once every 15 business days; 2) Require a directory to be updated not later than 10 business days after the effective date of a provider's credentialing with the health insurance issuer; 3) Require a directory to be updated not later than 10 business days after the termination of a provider's credentialing with the health insurance issuer; 4) Authorize a fine of up to \$500 for each violation; 5) Limit a health insurance issuer's responsibility when the issuer receives inaccurate information or no information at all from a provider; 6) Provide that the penalties in proposed law are the exclusive remedies and prohibit an independent cause of action based upon a violation of proposed law; 7) Provide for applicability to the Office of Group Benefits; and 8) Make technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Abraham offered a motion to report House Bill No. 875 with amendments. Without objection, House Bill No. 875 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

House Bill No. 824 by Representative Talbot

Representative Talbot presented House Bill No. 824, which provides relative to facility disclosure requirements.

Representative Talbot offered amendments to House Bill No. 824, which: 1) Require the facility disclosure to be provided when the federally required privacy notice is given to the patient or upon request of the patient; 2) Relocate provisions of present law relative to facility fee disclosures; 3) Makes technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Huval, Jordan, and Pierre voted yea.

Representative Talbot offered a motion to report House Bill No. 824 with amendments. Without objection, House Bill No. 824 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

Senate Bill No. 235 by Senator Colomb

Senator Colomb presented Senate Bill No. 235, which provides for insurance coverage for hearing aids.

Dr. Courtney Stewart, Louisiana Academy of Audiology, 2156 Sugar Cane Lane, Baton Rouge, LA 70810, spoke in support of Senate Bill No. 235.

Hunter Duke, Louisiana Academy of Audiology, 2156 Sugar Cane Lane, Baton Rouge, LA 70810, spoke in support of Senate Bill No. 235.

Steve Duke, Louisiana Academy of Audiology, 2156 Sugar Cane Lane, Baton Rouge, LA 70810, spoke in support of Senate Bill No. 235.

Representative Talbot offered a motion to report Senate Bill No. 235 favorably. Without objection, Senate Bill No. 235 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Davis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support. Witness cards are included in the committee records.

House Bill No. 756 by Representative Dwight

Representative Dwight presented House Bill No. 756, which requires exhaustion of all other available coverage prior to payment of a claim by the La. Insurance Guaranty Association.

Representative Talbot offered a motion to report House Bill No. 756 favorably. Without objection, House Bill No. 756 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

House Bill No. 775 by Representative Davis

Representative Davis presented House Bill No. 775, which: provides relative to the reimbursement of healthcare providers.

Andre Stoler, Access Health Louisiana, 2900 Indiana Avenue, Kenner, LA, spoke in support of House Bill No. 775.

Representative Talbot offered amendments to House Bill No. 775, which 1) Add provisions relative to provider reimbursement by managed care organizations; and 2) Make technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Davis offered a motion to report House Bill No. 775 with amendments. Without objection, House Bill No. 775 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

Senate Bill No. 85 by Senator John Smith

Senator John Smith presented Senate Bill No. 85, which: provides for an insured to opt in to receive a claim payment by electronic transfer.

Kevin Cunningham, American Insurance Association, 543 Spanish Town, Baton Rouge, LA 70802, spoke in opposition to Senate Bill No. 85.

Representative Talbot offered amendments to Senate Bill No. 85, which 1) Move proposed law from R.S. 22:41(13) to R.S. 22:1892(C)(1); and 2) Make technical changes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Talbot offered a motion to report Senate Bill No. 85 with amendments. Without objection, Senate Bill No. 85 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support. Witness cards are included in the committee records.

House Bill No. 752 by Representative Huval

Representative Huval presented House Bill No. 752, which provides relative to motor vehicle reports required to obtain an insurance premium quote.

Jeff Albright, Independent Insurance Agents of Louisiana, 18153 East Petroleum Drive, Baton Rouge, LA 70809, spoke in support of House Bill No. 752.

Lou Fey, PIA of Louisiana, 2136 N. Woodchase, Baton Rouge, LA 70808, spoke in support of House Bill No. 752.

Representative Talbot offered amendments to House Bill No. 752, which made proposed law applicable to commercial lines. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Huval offered a motion to report House Bill No. 752 with amendments. Without objection, House Bill No. 752 was reported with amendments by a vote of 8 yeas and 0 nays.

Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Huval, Jordan, and Pierre 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. 506 by Representative Jackson

This is a continuation of the discussion on House Bill No. 506 from the April 4, 2018 meeting. Please check for the prior action to complete the record of discussion and motions on House Bill No. 506.

Representative Jackson presented House Bill No. 506, which provides for the licensing of bail enforcement agents.

Representative Talbot offered a motion to reconsider House Bill No. 506. Without objection, House Bill No. 506 was reconsidered by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Talbot offered a substitute bill to House Bill No. 506, which provides relative to prohibited acts by bail enforcement agents. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Anders, Chad Brown, Davis, Huval, Jordan, and Pierre voted yea.

Representative Talbot offered a motion to report House Bill No. 506 by substitute. Without objection, House Bill No. 506 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Talbot, Thibaut, Abraham, Chad Brown, Davis, Glover, Huval, Jordan, and Pierre voted yea.

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

House Bill No. 636 by Representative Hunter

Representative Hunter presented House Bill No. 636, which prohibits the use of zip codes as the sole basis for rate determinations.

Rodney Braxton, State Farm Insurance Company, 543 Spanish Town, Baton Rouge, LA 70802, spoke in opposition to House Bill No. 636.

Kevin Cunningham, American Insurance Association, 543 Spanish Town, Baton Rouge, LA 70802, spoke in opposition to House Bill No. 636.

Chuck McMains, PCI, 8555 United Plaza Blvd., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 636.

Representative Talbot offered amendments to House Bill No. 636, which would limit the prohibition to actions based solely on the use of zip codes. Representative Talbot offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Talbot, Abraham, Chad Brown, Davis, Glover, Huval, Jordan, and Pierre voted yea.

Representative Pierre offered a motion to report House Bill No. 636 with amendments. Without objection, House Bill No. 636 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Davis, Glover, Huval, Jordan, and Pierre voted yea.

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

Senate Concurrent Resolution No. 55 by Senator Bishop

Senator Bishop presented Senate Concurrent Resolution No. 55, which requests the Louisiana Department of Insurance to assemble a task force to address the high automobile insurance rates in the state.

Representative Talbot offered a motion to report Senate Concurrent Resolution No. 55 favorably. Without objection, Senate Concurrent Resolution No. 55 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Davis, Glover, Huval, Jordan, and Pierre voted yea.

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

House Bill No. 547 by Representative LeBas

Representative Anders offered a motion to voluntarily defer action on House Bill No. 547, which prohibits penalties for disclosure by pharmacists of certain prescription drug cost information. Without objection, action on House Bill No. 547 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Talbot, Abraham, Anders, Chad Brown, Davis, Glover, Huval, Jordan, and Pierre voted yea.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:48 a.m.

Respectfully submitted,

Chairman Kirk Talbot
House Committee on Insurance

Date adopted: