

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

Minutes of Meeting  
2019 Regular Session  
May 14, 2019

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

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:06 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Frank A. Hoffmann, chairman  
Representative Lawrence A. "Larry" Bagley  
Representative Charles R. Chaney  
Representative Kenny R. Cox  
Representative Robert A. Johnson  
Representative H. Bernard LeBas  
Representative Wayne McMahan  
Representative Dustin Miller, vice chairman  
Representative Patricia "Pat" Moore  
Representative J. Rogers Pope  
Representative Joseph A. Stagni  
Representative Julie Stokes  
Representative Christopher Turner

#### **MEMBERS ABSENT:**

Representative Katrina R. Jackson

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

Ty Marchand, attorney  
Drew Murray, legislative analyst  
Felicie Jackson, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Faye Talbot, sergeant-at-arms  
Danny Leming, sergeant-at-arms  
Vivian Hurst, sergeant-at-arms  
Chris Butler, clerk

**III. DISCUSSION OF LEGISLATION****House Bill No. 427 by Representative Smith**

Representative Hoffmann announced that House Bill No. 427, which provides for communication-related services for the deaf and hard of hearing in certain healthcare settings, is voluntarily deferred.

**House Concurrent Resolution No. 70 by Representative Stagni**

Representative Stagni presented House Concurrent Resolution No. 70, which requests a study and report concerning the potential licensure of endovascular suites.

Cecile Castello, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Concurrent Resolution No 70.

Kimberly Humbles, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Concurrent Resolution No. 70.

Representative Stagni offered amendments which:

1. Remove the following as organizations and persons with which the La. Department of Health (LDH) shall collaborate in developing the study requested in the Resolution:
  - (a) The La. State Medical Society.
  - (b) Two or more advanced practice registered nurses, at least one of whom is a cardiac nurse practitioner, recommended by the La. State Board of Nursing.
2. Revise a directive in the Resolution to require that, in developing the requested study, LDH engage the following organizations:
  - (a) The La. State Board of Medical Examiners.
  - (b) The La. Hospital Association.
  - (c) The La. State Board of Nursing.
  - (d) The La. Ambulatory Surgery Center Association.

- (e) The Cardiovascular Institute of the South.
  - (f) The Vascular Access Centers, L.P.
3. Change the due date for the report requested by the Resolution from no later than 60 days prior to the convening of the 2020 R.S. to no later than 30 days prior to the convening of the 2020 R.S.

Representative Stagni offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Turner voted yea.

Representative Stagni offered a motion to report House Concurrent Resolution No. 70 with amendments. Without objection, House Concurrent Resolution No. 70 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Turner 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 Concurrent Resolution No. 48 by Representative Foil**

Representative Foil presented House Concurrent Resolution No. 48, which requests a study concerning the potential use of monitoring devices in the rooms of residents of intermediate care facilities for people with developmental disabilities.

Mark Thomas, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-0095, spoke for information only on House Concurrent Resolution No. 48.

Cecile Castello, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Concurrent Resolution No. 48.

Representative Hoffmann offered amendments to change the due date for the report requested by the Resolution from on or before December 31, 2019, to on or before March 31, 2020. Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Turner voted yea.

Representative Cox offered a motion to report House Concurrent Resolution No. 48 with amendments. Without objection, House Concurrent Resolution No. 48 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Turner voted yea.

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

### **House Concurrent Resolution No. 59 by Representative Wright**

Representative Wright presented House Concurrent Resolution No. 59, which creates a special council to make recommendations concerning the potential establishment of a Commission on the Aging and Adults with Disabilities.

Tara Leblanc, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Concurrent Resolution No. 59.

Representative Hoffmann offered a motion to report House Concurrent Resolution No. 59 favorably. Without objection, House Concurrent Resolution No. 59 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Turner 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 Concurrent Resolution No. 60 by Representative Dustin Miller**

On behalf of Representative Dustin Miller, Representative Stagni presented House Concurrent Resolution No. 60, which urges the La. Health Works Commission to develop policy recommendations for creating safer workplace environments for nurses and social service providers.

Representative Stagni offered a motion to report House Concurrent Resolution No. 60 favorably. Without objection, House Concurrent Resolution No. 60 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, LeBas, McMahan, Moore, Pope, and Stagni 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.

### **Senate Bill No. 145 by Senator Johns**

Senator Johns presented Senate Bill No. 145, which provides relative to human trafficking.

Marketa Walters, Department of Children and Family Services, 627 N. 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-5572, spoke for information only on Senate Bill No. 145.

Representative Hoffmann offered amendments which make technical changes. Representative Hoffmann 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, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Stokes voted yea.

Representative LeBas offered a motion to report Senate Bill No. 145 with amendments. Without objection, Senate Bill No. 145 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Chaney, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Stokes voted yea.

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

### **Senate Bill No. 53 by Senator Johns**

Senator Johns presented Senate Bill No. 53, which provides relative to prescription monitoring information.

Representative LeBas offered a motion to report Senate Bill No. 53 favorably. Without objection, Senate Bill No. 53 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Stokes 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. 129 by Representative Carmody**

***This is a continuation of the discussion on House Bill No. 129 from May 7, 2019. Please check for the prior action to complete the record of discussion and motions on House Bill No. 129.***

Representative Carmody presented House Bill No. 129, which provides relative to Medicaid nonemergency transportation providers and services and provided a handout, an Uber//Lyft Watchdog article, Exhibit A, which is included in the committee records.

Representative Hoffmann offered a motion to reconsider the amendments adopted on May 7, 2019. Without objection, the amendments were reconsidered by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Hoffmann, LeBas, McMahan, Moore, Pope, Stagni, and Stokes voted yea.

Michael Boutte, Louisiana Department of Health, 628 N 4<sup>th</sup> St, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 129.

Representative Hoffmann offered a motion to withdraw the amendments adopted on May 7, 2019. Without objection, the amendments were withdrawn by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner voted yea.

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 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, LeBas, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner voted yea.

Kathy Kliebert, Louisiana Medicaid Managed Care Organization Association, 168 Northlake Dr, Thibodaux, LA 70361, (985) 791-7637, spoke in opposition to House Bill No. 129.

Representative Bagley offered a motion to report House Bill No. 129 by substitute. No vote was taken.

Representative Hoffmann offered a substitute motion to voluntarily defer action on House Bill No. 129. Without objection, action on House Bill No. 129 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hoffmann, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner 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.

*Representative Miller is in the chair.*

### **House Concurrent Resolution No. 63 by Representative Stokes**

Representative Stokes presented House Concurrent Resolution No. 63, which requests a study concerning prevention of elder abuse.

Representative Cox offered a motion to report House Concurrent Resolution No. 63 favorably. Without objection, House Concurrent Resolution No. 63 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bagley, Chaney, Cox, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner 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. 538 by Representative LeBas**

Representative LeBas presented House Bill No. 538, which provides relative to pharmacy record audits.

Representative LeBas offered amendments to delete proposed law providing that any audit of a pharmacy with its principal place of business in this state shall be conducted by a pharmacist licensed in Louisiana. Provide instead that any audit which involves clinical judgment shall be conducted by or in consultation with a pharmacist licensed in Louisiana. 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 Chaney, Cox, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner voted yea.

Representative Robert Johnson offered amendments which provide that proposed law relative to recoupment based upon the use of a manufacturer coupon or copay card shall apply only if the product is approved by the U.S. Food and Drug Administration through the new drug application process or abbreviated new drug application, or is an investigational drug which is a biological product as defined in present law. Representative Robert Johnson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Chaney, Cox, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner voted yea.

Randal Johnson, Louisiana Independent Pharmacies Association, 543 Spanish Town Rd, Baton Rouge, LA 70802, (225) 308-2030, spoke in support of House Bill No. 538.

Robert L. Rieger, Jr., Adams and Reese, LLP, 450 Laurel St, Ste 1900, Baton Rouge, LA 70801, (225) 336-5200, spoke in opposition to House Bill No. 538.

Steve McCall, CVS Health, 2050 E Oasis St, Mesa, AZ 85213, (480) 614-7326, spoke in opposition to House Bill No. 538.

Representative LeBas offered a motion to report House Bill No. 538 with amendments. Without objection, House Bill No. 538 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Chaney, Hoffmann, Robert Johnson, LeBas, McMahan, Dustin Miller, Moore, Pope, Stagni, Stokes, and Turner voted yea.

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

*Representative Hoffmann is in the chair.*

**House Bill No. 535 by Representative Glover**

On behalf of Representative Glover, Ruth Johnson, Louisiana Primary Care Association, 503 Colonial Dr, Baton Rouge, LA 70806, (225) 927-7662, presented House Bill No. 535, which allows nonprofit entities the ability to perform dental services at mobile dental clinics.

*Representative Miller is in the chair.*

Nic Walts, Louisiana Primary Care Association, 1200 Camellia Blvd, Ste 101, Lafayette, LA 70508, (337) 989-0071, spoke in support of House Bill No. 535.

*Representative Hoffmann is in the chair.*

Representative Stagni offered a motion to voluntarily defer action on House Bill No. 535. Without objection, action on House Bill No. 535 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, McMahan, Moore, Pope, Stagni, Stokes, and Turner 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.

**Senate Bill No. 38 by Senator Erdey**

On behalf of Senator Erdey, Representative J. Rogers Pope, District 17, P.O. Box 555, Denham Springs, LA 70727, (225) 667-3588, presented Senate Bill No. 38, which increases the number of hours of continuing education required for hearing aid dealers that may be taken on the internet or through correspondence courses from three continuing education units to seven units.

Representative Pope offered a motion to report Senate Bill No. 38 favorably. Without objection, Senate Bill No. 38 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, McMahan, Moore, Pope, Stagni, Stokes, and Turner 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.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.



## **VI. ADJOURNMENT**

Representative Cox offered a motion to adjourn. Without objection, the motion passed by a vote of 9 yeas and 0 nays. Representatives Chaney, Cox, Hoffmann, McMahan, Moore, Pope, Stagni, Stokes, and Turner voted yea.

The meeting was adjourned at 10:53 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann  
House Committee on Health and Welfare

Date adopted: