

House Committee on Health and Welfare

Minutes of Meeting
2021 Regular Session
April 27, 2021

I. CALL TO ORDER

Representative Lawrence A. "Larry" Bagley, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:03 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley, chairman
Representative Roy Daryl Adams
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Julie Emerson
Representative Jason Hughes
Representative C. Travis Johnson
Representative Ed Larvadain, III
Representative Wayne McMahan
Representative Dustin Miller
Representative Patricia "Pat" Moore
Representative Robert "Bob" Owen
Representative Thomas A. Pressly
Representative Larry Selders
Representative Joseph A. Stagni
Representative Christopher Turner, vice chairman

MEMBERS ABSENT:

Representative Robby Carter
Representative Kenny R. Cox

STAFF MEMBERS PRESENT:

Drew Murray, legislative analyst
Meah Johnson, attorney
Kristy Neubrandner, committee administrative assistant

Nevonda S. Reed, division director

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Mia Ditta, clerk

III. DISCUSSION OF LEGISLATION

The committee stood at ease at 9:09 a.m. The committee reconvened at 9:13 a.m.

House Bill No. 453 by Representative Deshotel

Chairman Bagley announced that action on House Bill No. 453, which provides relative to a program of hospital assessments and intergovernmental transfers for health services financing, was voluntarily deferred.

House Bill No. 485 by Representative Zeringue

Chairman Bagley announced that action on House Bill No. 485, which establishes the Medicaid Managed Care Authority as a policymaking and oversight body for the Medicaid managed care program, was voluntarily deferred.

House Bill No. 598 by Representative Green

Chairman Bagley announced that action on House Bill No. 598, which requires the La. Department of Health to apply for a Medicaid demonstration waiver to support and improve the delivery of inpatient mental health services, was voluntarily deferred.

House Bill No. 270 by Representative Magee

Representative Magee presented House Bill No. 270, which provides for definitions and exemptions relative to telemedicine and telehealth.

Representative Stagni offered amendments to:

1. Revise the definition of the term "telehealth" provided in proposed law to specify that the healthcare services encompassed by the term include behavioral health services.
2. Restore present law defining "behavioral health services" for purposes of present law and proposed law comprising the Louisiana Telehealth Access Act.

Representative Stagni 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, Adams, Crews, Echols, Emerson, Larvadain, McMahan, Moore, Stagni, and Turner voted yea.

Eric Peterson, Pelican Institute, 342 Lafayette Street, Baton Rouge, LA 70801, info@pelicaninstitute.org, spoke in support of House Bill No. 270 and provided a handout, Exhibit A, which is included in the committee records.

Representative Larvadain offered a motion to report House Bill No. 270 with amendments. Without objection, House Bill No. 270 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Larvadain, McMahan, Moore, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 73 by Representative Crews

Representative Crews presented House Bill No. 73, which requires the La. Department of Health to contract for the administration of the Medicaid estate recovery program.

Steve Russo, Louisiana Department of Health (LDH), 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 73.

Daniel Mintz, Louisiana Budget Project, 619 Jefferson Highway, Suite 1-D, Baton Rouge, LA 70806, (786) 374-6626, spoke in opposition to House Bill No. 73.

Representative Crews offered amendments which:

1. Stipulate that any contract LDH enters into pursuant to proposed law shall require that estate recovery functions be conducted exclusively by attorneys who are licensed by and in good standing with the La. State Bar Association.
2. Make a technical change.

Representative Crews 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, Adams, Crews, Echols, Emerson, Larvadain, McMahan, Moore, Selders, Stagni, and Turner voted yea.

Representative Larvadain offered amendments which revise proposed law requiring that LDH contract for the administration of the Medicaid estate recovery program to provide instead that the department is authorized, but not required, to contract for the administration of the program.

Representative Crews offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Hughes, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Selders, Stagni, and Turner voted yea.

Representative Crews offered a motion to report House Bill No. 73 with amendments. Without objection, House Bill No. 73 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Hughes, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Selders, Stagni, and Turner voted yea.

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

House Bill No. 172 by Representative Butler

Representative Butler presented House Bill No. 172, which provides for Medicaid coverage of dental care for certain adults with developmental and intellectual disabilities.

Chairman Bagley offered amendments to:

1. Delete proposed law requiring coverage for dental care for Medicaid enrollees age 21 and up who reside in intermediate care facility for people with developmental disabilities.
2. Stipulate that the Medicaid coverage for dental care provided for in proposed law shall be comprehensive coverage.
3. Provide that for purposes of proposed law, "comprehensive Medicaid coverage for dental care" means Medicaid coverage which reimburses for dental and oral health services including all of the following:
 - a. Diagnostic services.
 - b. Preventive services.
 - c. Restorative services.
 - d. Endodontics.
 - e. Periodontics.
 - f. Prosthodontics.

- g. Oral and maxillofacial surgery.
 - h. Orthodontics.
 - i. Emergency care.
- 4. Prohibit the La. Department of Health from furnishing any coverage required by proposed law until all of the following have occurred:
 - a. The Centers for Medicare and Medicaid Services has approved the provision of such coverage.
 - b. The legislature has appropriated the funding necessary for the provision of such coverage.

Representative Adams offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Hughes, McMahan, Dustin Miller, Moore, Pressly, Selders, Stagni, and Turner voted yea.

Tara LeBlanc, Louisiana Department of Health (LDH), 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 172.

Kathy Dwyer, Louisiana Dental Task Force, 1525 Papworth Avenue, Metairie, LA 70005, (504) 833-2439, spoke in support of House Bill No. 172 and provided a handout, Exhibit B, which is included in the committee records.

Mary Kay Cowen, Louisiana Dental Task Force, 5100 Willowtree Road, Marrero, LA 70072, (504) 494-0170, spoke in support of House Bill No. 172.

Representative Moore offered a motion to report House Bill No. 172 with amendments. Without objection, House Bill No. 172 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Selders, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 14 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 11 in support. Copies of these statements are included in the committee records.

House Concurrent Resolution No. 34 by Representative Butler

Representative Butler presented House Concurrent Resolution No. 34, which requests a study regarding potential means of financing dental care for adult residents of intermediate care facilities.

Chairman Bagley offered amendments to revise statements regarding Medicaid coverage and access to dental care by residents of intermediate care facilities.

Representative Hughes offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Pressly, Selders, Stagni, and Turner voted yeas.

Representative Adams offered a motion to report House Concurrent Resolution No. 34 with amendments. Without objection, House Concurrent Resolution No. 34 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Pressly, Selders, Stagni, and Turner voted yeas.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

House Bill No. 447 by Representative Butler

Chairman Bagley announced that action on House Bill No. 447, which provides relative to employment of licensed ambulance personnel and nonlicensed providers of health-related services convicted of certain offenses, was voluntarily deferred.

House Bill No. 531 by Representative Pressly

Chairman Bagley announced that action on House Bill No. 531, which provides relative to the Louisiana Board of Massage Therapy, was voluntarily deferred.

House Bill No. 186 by Representative Bacala

Representative Bacala presented House Bill No. 186, which provides for state agency partnerships to improve Medicaid administration and program integrity.

Representative Hughes offered amendments in the form of a substitute bill. Representative Hughes offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 13

yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, Moore, Pressly, Selders, Stagni, and Turner voted yea.

Glenn Ansardi, Louisiana District Judges Association, 400 Royal Street, New Orleans, LA 70130, (504) 812-1337, spoke for information only on House Bill No. 186.

Wendell Manning, Louisiana Council of Juvenile and Family Court Judges, 300 St. John Street, Suite 400, Monroe, LA 71201, (318) 361-2270, spoke for information only on House Bill No. 186.

Luke Morris, Louisiana Department of Revenue (LDR), 617 North 3rd Street, Baton Rouge, LA 70802, (985) 662-8411, spoke for information only on House Bill No. 186.

Daniel Mintz, Louisiana Budget Project, 619 Jefferson Highway, Suite 1-D, Baton Rouge, LA 70806, (786) 374-6626, spoke in opposition to House Bill No. 186.

Representative Turner offered a motion to report House Bill No. 186 by substitute. Without objection, House Bill No. 186 was reported by substitute by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Stagni, and Turner voted yea.

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

The committee stood at ease at 10:32 a.m. The committee reconvened at 10:34 a.m.

House Bill No. 570 by Representative Lyons

Representative Lyons presented House Bill No. 570, which provides for payment enhancements to compensate nonemergency medical transportation providers for cost increases in that industry.

Representative Hughes offered a technical amendment. Representative Hughes offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Bagley, Crews, Hughes, Travis Johnson, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, Stagni, and Turner voted yea.

Representative Stagni offered a motion to report House Bill No. 570 with amendments. Without objection, House Bill No. 570 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Selders, Stagni, and Turner 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. 213 by Representative Bacala

Representative Bacala presented House Bill No. 213, which provides for Medicaid eligibility determination functions and Medicaid fraud detection and prevention.

Luke Morris, LDR, 617 North 3rd Street, Baton Rouge, LA 70802, (985) 662-8411, spoke for information only on House Bill No. 213.

Steve Russo, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 213.

Linda Hawkins, Louisiana League of Women Voters, 22271 Main Street, Abita Springs, LA 70420, (985) 809-3983, spoke in opposition to House Bill No. 213.

Daniel Mintz, Louisiana Budget Project, 619 Jefferson Highway, Suite 1-D, Baton Rouge, LA 70806, (786) 374-6626, spoke in opposition to House Bill No. 213.

Courtney Foster, Louisiana Budget Project, 619 Jefferson Highway, Suite 1-D, Baton Rouge, LA 70806, (626) 808-3809, spoke in opposition to House Bill No. 213.

Representative Echols offered a motion to report House Bill No. 213 favorably, to which Representative Dustin Miller objected. The administrative assistant called the roll, and House Bill No. 213 was reported favorably by a vote of 8 yeas and 5 nays. Representatives Bagley, Adams, Crews, Echols, McMahan, Robert Owen, Stagni, and Turner voted yea. Representatives Hughes, Travis Johnson, Larvadain, Dustin Miller, and Moore voted nay.

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

House Bill No. 356 by Representative Bacala

Representative Bacala presented House Bill No. 356, which requires regular evaluation of and reporting on Medicaid administration and services.

Representative Crews offered amendments which revise proposed law as follows:

1. Require that certain aspects of the state Medicaid program be evaluated once, prior to any Medicaid managed care request for proposals being submitted to the office of state procurement for review, rather than annually.
2. Require that certain aspects of the state Medicaid program be evaluated annually.

3. Require that certain aspects of the state Medicaid program be evaluated in alternating years.

Representative Bagley 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, Adams, Crews, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Pressly, and Stagni voted yea.

Mark Berger, Louisiana Nursing Home Association, 7844 Office Park Boulevard, Baton Rouge, LA 70809, (225) 927-5642, spoke in opposition to House Bill No. 356.

Tara LeBlanc, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 356.

Representative Crews offered a motion to report House Bill No. 356 with amendments, to which Representative Travis Johnson objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 2 yeas and 9 nays. Representatives Adams and Crews voted yea. Representatives Bagley, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Stagni, and Turner voted nay.

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

IV. OTHER BUSINESS

The minutes from the 2020 Second Extraordinary Session committee meetings dated October 6, October 14, and October 20 were presented to the committee for approval. Representative Echols offered a motion to approve the minutes. Without objection, the minutes were approved by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Larvadain, McMahan, Moore, Stagni, and Turner voted yea.

The minutes from the 2020 Interim Session committee meeting dated November 23 were presented to the committee for approval. Representative Echols offered a motion to approve the minutes. Without objection, the minutes were approved by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Echols, Emerson, Larvadain, McMahan, Moore, Stagni, and Turner voted yea.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Hughes offered a motion to adjourn. Without objection, the motion passed by a vote of 11 yeas and 0 nays. Representatives Bagley, Adams, Crews, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Stagni, and Turner voted yea.

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

Respectfully submitted,

Chairman Lawrence A. "Larry" Bagley
House Committee on Health and Welfare

Date adopted: