

House Committee on Health and Welfare

Minutes of Meeting
2021 Regular Session
May 5, 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 9:05 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 Robby Carter
Representative Kenny R. Cox
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:

None

STAFF MEMBERS PRESENT:

Drew Murray, legislative analyst
Meah Johnson, attorney

Kristy Neubrandner, committee administrative assistant
Nevonda S. Reed, division director
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Mia Ditta, clerk
Stephan Louis, sergeant at arms
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Concurrent Resolution No. 31 by Representative Moore

Representative Moore presented House Concurrent Resolution No. 31, which requests a study effort and annual reports concerning types of foods and beverages purchased with SNAP benefits. Representative Moore provided a handout, Exhibit A, which is included in the committee records.

Representative Moore offered a motion to voluntarily defer action on House Concurrent Resolution No. 31. Without objection, action on House Concurrent Resolution No. 31 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bagley, Adams, Cox, Crews, Echols, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Stagni, and Turner voted yea.

House Bill No. 598 by Representative Green

On behalf of Representative Green, Representative Greg Miller presented 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.

Janet Hays, 2208 Soniat Street, New Orleans, LA 70115, (504) 274-6091, spoke in support of House Bill No. 598.

Karen Stubbs, Louisiana Department of Health (LDH), 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 598.

Representative Bagley offered amendments to:

1. Authorize the La. Department of Health to institute the program provided for in proposed law through either a Section 1115 demonstration waiver or a Medicaid state plan amendment.

2. Extend the deadline to institute the program with the federal Medicaid agency from July 1, 2021, to December 31, 2022.
3. Make technical changes.

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, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Stagni voted yea.

Representative Bagley offered a motion to voluntarily defer action on House Bill No. 598. Without objection, action on House Bill No. 598 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Bagley, Adams, Crews, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 468 by Representative Landry

Representative Landry presented House Bill No. 468, which provides relative to extension of Medicaid coverage for an individual experiencing postpartum.

Representative Bagley offered amendments to:

1. Provide that postpartum Medicaid coverage to eligible pregnant individuals who satisfy the state's Medicaid qualifications is subject to approval by the Centers for Medicare and Medicaid Services and that the La. Department of Health shall make such coverage available on and after April 1, 2022.
2. Provide that the Louisiana Department of Health shall not furnish any coverage absent the requisite funding from the state legislature.
3. Make technical changes.

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, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Stagni, and Turner voted yea.

Veronica Gillispie, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 468.

Representative Turner in the chair.

Dena Christy, Family Road of Greater Baton Rouge, 323 East Airport Avenue, Baton Rouge, LA 70806, (225) 603-0082, spoke in support of House Bill No. 468.

Cynthia Voelker, March of Dimes, 18606 St. Andrews Court East, Prairieville, LA 70769, (225) 744-3010, spoke in support of House Bill No. 468.

Representative Crews offered a motion to report House Bill No. 468 with amendments. Without objection, House Bill No. 468 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Adams, Cox, Crews, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 33 in support, 3 in opposition, and 3 for information only. 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: 4 in support. Copies of these statements are included in the committee records.

House Bill No. 447 by Representative Butler

Representative Butler presented House Bill No. 447, which provides relative to employment of licensed ambulance personnel and nonlicensed providers of health-related services convicted of certain offenses.

Representative Larvadain offered amendments to:

1. Limit proposed law such that it would apply exclusively to nonlicensed persons seeking employment in an intermediate care facility for people with developmental disabilities. Stipulate that proposed law shall not be construed to apply to any other nonlicensed person or any licensed ambulance personnel.
2. Add the following to the set of crimes for which conviction disqualifies a nonlicensed person from employment in an intermediate care facility for people with developmental disabilities:
 - a. Solicitation for murder (R.S. 14:28.1).
 - b. First degree murder (R.S. 14:30).
 - c. Second degree murder (R.S. 14:30.1).
 - d. Aggravated rape (R.S. 14:42).

- e. Simple rape (R.S. 14:43).
- f. Human trafficking (R.S. 14:46.2).

Representative Larvadain offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Adams, Cox, Crews, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, and Turner voted yea.

Christina Guillot, St. Mary's Residential Training School, 6715 Highway 1 North, Boyce, LA 71409, (318) 445-6443, spoke in support of House Bill No. 447.

Representative Larvadain offered a motion to report House Bill No. 447 with amendments. Without objection, House Bill No. 447 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Adams, Crews, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Turner voted yea.

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

House Bill No. 453 by Representative Deshotel

Representative Deshotel presented House Bill No. 453, which provides relative to a program of hospital assessments and intergovernmental transfers for health services financing.

Representative Turner offered amendments to:

1. Revise present law to stipulate that the amount of the local hospital assessment payment required of each paying hospital may not exceed the difference between the maximum allowable amount under federal Medicaid regulations (42 CFR 433.68(f)).
2. Revise present law relative to requests by rural institutional providers, as defined in present law, to execute cooperative endeavor agreements (CEAs) with the La. Department of Health (LDH) for the use of local provider participation fund proceeds to require that such requests be in writing with copies provided to the legislative committees on health and welfare.
3. Provide that if LDH fails to execute a CEA within 90 days of receipt of a parish request, the department shall report to the legislative committees on health and welfare, within 100 days of the parish request, the status of the efforts and the reason for the failure to meet the deadline.
4. Provide that as soon as a CEA is effective or, upon failure to agree on such agreement, within 150 days of the parish notice unless LDH's status report is accepted by an affirmative vote

of both legislative committees on health and welfare, LDH shall file a Medicaid state plan amendment with the federal Medicaid agency (CMS) amending the Medicaid state plan provisions governing hospital reimbursement to provide that a rural institutional provider shall be reimbursed at a rate which equals or approximates the lesser of the rural institutional provider's average commercial rate as determined by the state's Medicaid actuary or 110%, or, if a reduction is required by CMS, the maximum amount acceptable to CMS, but in no case less than 100%, of the appropriate reasonable cost of providing hospital inpatient and outpatient services, including but not limited to services provided in a rural health clinic licensed as part of a rural hospital.

Representative McMahan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Adams, Cox, Crews, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, and Turner voted yea.

Gregory D. Frost, Allegiance Health Management, 301 Main Street, Baton Rouge, LA 70802, (225) 387-4000, spoke in support of House Bill No. 453.

Ruth Johnson, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 453.

Representative Crews offered a motion to report House Bill No. 453 with amendments. Without objection, House Bill No. 453 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Adams, Crews, Emerson, 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: 2 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 578 by Representative Amedee

Representative Amedee presented House Bill No. 578, which provides relative to disclosure of certain information relative to abortion pill reversal.

Angie Thomas, Louisiana Right to Life, 200 Robert E. Lee Boulevard, New Orleans, LA 70124, (504) 296-0323, spoke in support of House Bill No. 578.

Representative Hughes provided a handout, Exhibit B, which is included in the committee records.

Shannon Eaton, 1717 Emily Street, Metairie, LA 70001, (504) 452-8160, spoke in support of House Bill No. 578.

Michael Castine, 8595 Picardy Avenue, Suite 110, Baton Rouge, LA 70809, (225) 614-8491, spoke in support of House Bill No. 578.

Chairman Bagley in the chair.

Damon Cudihy, P.O. Box 52415, Lafayette, LA, (337) 230-2841, spoke in support of House Bill No. 578.

Robert Chasuk, 6921 South Fieldgate Court, Baton Rouge, LA 70808, (225) 921-8951, spoke in support of House Bill No. 578.

Joseph Kanter, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 578.

Mari H. Presedo, 4916 Parkhollow Drive, Baton Rouge, LA 70816, (225) 802-2030, spoke in support of House Bill No. 578.

Allison Millet, Woman's New Life Clinic, 4612 South Claiborne, New Orleans, LA 70125, (504) 496-0212, spoke in support of House Bill No. 578.

Jennifer Hall, Women With a Vision, 2900 Banks Street, Suite A, New Orleans, LA 70119, (415) 420-2450, spoke in opposition to House Bill No. 578.

Representative Crews offered a motion to report House Bill No. 578 favorably, to which Representative Hughes objected. The administrative assistant called the roll, and House Bill No. 578 was reported favorably by a vote of 11 yeas and 4 nays. Representatives Bagley, Adams, Cox, Crews, Emerson, Travis Johnson, McMahan, Robert Owen, Pressly, Stagni, and Turner voted yea. Representatives Hughes, Dustin Miller, Moore, and Selders voted nay.

Witness cards submitted by individuals who did not speak are as follows: 36 in support and 5 in opposition. 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: 19 in support. Copies of these statements are included in the committee records.

House Bill No. 426 by Representative Amedee

Representative Amedee presented House Bill No. 426, which provides relative to visitation of nursing home residents and assisted living facility residents by persons designated as essential caregivers or compassionate care visitors.

Representative Bagley offered a motion to voluntarily defer action on House Bill No. 426. Without objection, action on House Bill No. 426 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Bagley, Adams, Cox, Crews, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Moore, Robert Owen, Pressly, Selders, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 22 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: 3 in support. Copies of these statements are included in the committee records.

House Bill No. 579 by Representative Amedee

Representative Amedee presented House Bill No. 579, which provides for rights of individuals to bodily autonomy and to make healthcare decisions.

Representative Bagley offered amendments to:

1. Revise the listing of entities that, per proposed law, would be prohibited from denying, restricting, infringing upon, or imposing conditions on the individual rights enumerated in proposed law.
2. Delete proposed law allowing individuals who suffer damage, loss, or injury as a result of any conduct prohibited by proposed law to bring legal action for compensatory and punitive damages, costs and reasonable attorney fees, and other appropriate relief.
3. Make technical changes.

Representative Bagley 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, Cox, Crews, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Pressly, Selders, and Stagni voted yea.

Sandra Doney, Health Freedom Louisiana (HFL), 3807 Brookwood Drive, Slidell, LA 70458, (985) 649-0342, spoke in support of House Bill No. 579.

Tara Engeran, 400 Harrison Avenue, New Orleans, LA 70124, tate1@outlook.com, spoke in support of House Bill No. 579.

Mari H. Presedo, 4916 Parkhollow Drive, Baton Rouge, LA 70816, (225) 802-7030, spoke in support of House Bill No. 579.

Raphaelle O'Neil, P.O. Box 791107, New Orleans, LA 70179, (504) 975-0054, spoke in support of House Bill No. 579.

Jill Hines, HFL, 1307 Mesa Avenue, Ruston, LA 71270, (904) 318-6018, spoke in support of House Bill No. 579 and provided a handout, Exhibit C, which is included in the committee records.

Fiorella Trapani, HFL, 4412 Lefkoe Street, Metairie, LA 70006, (504) 957-7523, spoke in support of House Bill No. 579.

Steve Douglas, 7654 Ashland Court, Clinton, LA 70722, (225) 719-6399, spoke in support of House Bill No. 579 and provided a handout, Exhibit D, which is included in the committee records.

Tirzah Douglas, 7654 Ashland Court, Clinton, LA 70722, (225) 719-1732, spoke in support of House Bill No. 579.

Patrick Peavy, 942 Ontario Street, Shreveport, LA 71106, (318) 445-0377, spoke in support of House Bill No. 579.

Candy Peavy, 942 Ontario Street, Shreveport, LA 71106, (318) 458-1543, spoke in support of House Bill No. 579 and provided a handout, Exhibit E, which is included in the committee records.

Representative Crews provided a handout, Exhibit F, which is included in the committee records.

F. Thomas Siskron IV, 209 Beau Sejour Drive, Shreveport, LA 71115, (318) 401-1948, spoke in support of House Bill No. 579.

Abigail Licatino, HFL, 201 South Tallowood Drive, Covington, LA 70433, (713) 382-8212, spoke in support of House Bill No. 579.

Greg Sampognaro, 510 Griggs Road, Calhoun, LA 71225, (318) 364-3717, spoke in support of House Bill No. 579.

Sterling Hill, 78539 Fauchaux Road, Folsom, LA 70437, (504) 616-0965, spoke in support of House Bill No. 579 and provided a handout, Exhibit G, which is included in the committee records.

Representative Stagni offered a motion to involuntarily defer action on House Bill No. 579, to which Representative Crews objected. The administrative assistant called the roll, and action on House Bill No. 579 was involuntarily deferred by a vote of 9 yeas and 3 nays. Representatives Bagley, Adams, Cox, Hughes, Travis Johnson, Larvadain, Dustin Miller, Pressly, and Stagni voted yea. Representatives Crews, Emerson, and McMahan voted nay.

Witness cards submitted by individuals who did not speak are as follows: 42 in support and 9 in opposition. 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: 39 in support. Copies of these statements are included in the committee records.

House Bill No. 423 by Representative Emerson

Representative Emerson presented House Bill No. 423, which establishes requirements concerning reports of abortions performed or induced.

Representative Emerson offered amendments to:

1. Provide that, for purposes of proposed law, the term "abortion" has the meaning ascribed in present law, R.S. 40:1061.9.
2. Require the provision of certain information, if known, for the required report.
3. Make technical changes.

Representative Emerson 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, Emerson, Travis Johnson, Larvadain, McMahan, Dustin Miller, Robert Owen, Pressly, Stagni, and Turner voted yea.

Ben Clapper, Louisiana Right to Life, 200 Robert E. Lee Boulevard, New Orleans, LA 70124, (504) 835-6520, spoke in support of House Bill No. 423.

Elizabeth Murrill, Office of the Louisiana Attorney General, 1885 North 3rd Street, Baton Rouge, LA 70802, (225) 205-8009, spoke in support of House Bill No. 423.

Representative Emerson offered a motion to report House Bill No. 423 with amendments. Without objection, House Bill No. 423 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bagley, Adams, Crews, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Stagni, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 21 in support, 5 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 357 by Representative Crews

Representative Crews presented House Bill No. 357, which requires reporting of certain information relating to minors who undergo abortions.

Elizabeth Murrill, Office of the Louisiana Attorney General, 1885 North 3rd Street, Baton Rouge, LA 70802, (225) 205-8009, spoke in support of House Bill No. 357.

Angie Thomas, Louisiana Right to Life, 200 Robert E. Lee Boulevard, New Orleans, LA 70124, (504) 835-6520, spoke in support of House Bill No. 357.

Representative Crews offered a motion to report House Bill No. 357 favorably. Without objection, House Bill No. 357 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bagley, Adams, Cox, Crews, Echols, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, and Pressly voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 5 in opposition. Witness cards are included in the committee records.

House Bill No. 91 by Representative Echols

This is a continuation of the discussion on House Bill No. 91 from April 28, 2021. Please check for the prior action to complete the record of discussion and motions on House Bill No. 91.

Representative Echols presented House Bill No. 91, which authorizes transportation network companies to provide nonemergency medical transportation services through the state Medicaid program.

Tara LeBlanc, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 91.

Jennifer Katzman, LDH, 628 North 4th Street, Baton Rouge, LA 70802, (225) 342-9509, spoke for information only on House Bill No. 91.

Representative Larvadain offered a motion to involuntarily defer action on House Bill No. 91. Representative Bagley offered a substitute motion to voluntarily defer action on House Bill No. 91. Without objection, action on House Bill No. 91 was voluntarily deferred by a vote of 17 yeas and 0 nays. Representatives Bagley, Adams, Robby Carter, Cox, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 32 in opposition, and 2 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 Crews offered a motion to adjourn. Without objection, the motion passed by a vote of 17 yeas and 0 nays. Representatives Bagley, Adams, Robby Carter, Cox, Crews, Echols, Emerson, Hughes, Travis Johnson, Larvadain, McMahan, Dustin Miller, Moore, Robert Owen, Pressly, Selders, and Stagni voted yea.

The meeting was adjourned at 1:46 p.m.

Respectfully submitted,

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

Date adopted: