

## **House Committee on Insurance**

Minutes of Meeting  
2021 Regular Session  
May 5, 2021

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

Representative Chad Brown, chairman of the House Committee on Insurance, called the meeting to order at 9:32 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Chad Brown, chairman  
Representative Mary DuBuisson  
Representative Kathy Edmonston  
Representative Michael "Gabe" Firment  
Representative Lawrence "Larry" Frieman  
Representative Cedric B. Glover  
Representative Kyle M. Green, Jr.  
Representative Paul Hollis  
Representative Mike Huval  
Representative John R. Illg, Jr.  
Representative Edmond Jordan, vice chairman  
Representative Sherman Q. Mack  
Representative Danny McCormick  
Representative Matthew Willard

#### **MEMBERS ABSENT:**

None

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

Rashida Keith, attorney  
Adam Patrick, attorney  
Alicia Powell, committee administrative assistant

#### **ADDITIONAL ATTENDEES PRESENT:**

Sharon Bourque, sergeant at arms

Danny Leming, sergeant at arms

### **III. DISCUSSION OF LEGISLATION**

#### **Senate Bill No. 84 by Senator Talbot**

Senator Talbot presented Senate Bill No. 84, which provides for health insurance coverage of genetic testing for various cancer mutations.

Julie Stokes, Cancer Advocacy Group of Louisiana (CAG-LA), 13 Chateau Rue du Jardin, Kenner, LA 70065, (504) 250-8113, spoke in support of Senate Bill No. 84 and provided a handout, Exhibit A, which is included in the committee records.

Representative Firment offered a motion to report Senate Bill No. 84 favorably. Without objection, Senate Bill No. 84 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Brown, Edmonston, Firment, Frieman, Huval, Illg, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition.

#### **Senate Bill No. 119 by Senator Tarver**

On behalf of Senator Tarver, Senator Talbot presented Senate Bill No. 119, which provides relative to health insurance coverage for mammography.

Julie Stokes, CAG-LA, 13 Chateau Rue du Jardin, Kenner, LA 70065, (504) 250-8113, spoke in support of Senate Bill No. 119 and provided a handout, Exhibit B, which is included in the committee records.

Representative Brown offered amendments to:

- (1) Require single baseline mammograms for women 35-39 and certain annual MRIs and mammography for women with certain hereditary susceptibilities to be in accordance with recommendations and guidelines by the National Comprehensive Cancer Network or the American Society of Breast Surgeons Position Statement on Screening Mammography no later than the following policy or plan year following changes in recommendations;
- (2) Apply any validated model published in peer-reviewed medical literature for determining certain minimum mammography examination requirements for women starting at age 35, if recommended by the woman's physician and the woman has a predicted lifetime risk greater than 20%;

- (3) Add that a breast ultrasound is the initial preferred modality, followed by an MRI if the ultrasound is inconclusive, with respect to supplemental imaging;
- (4) Provide that coverage pertaining to present and proposed law regarding early screening and detection may be subject to the health coverage plan's utilization review using guidelines published in peer-reviewed medical literature; and
- (5) Require any policy, contract, or health coverage plan in effect prior to January 1, 2022, to conform to the provisions of present and proposed law on or before the renewal date, but no later than January 1, 2023.

Representative Brown offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Brown, Edmonston, Firment, Frieman, Huval, Illg, McCormick, and Willard voted yea.

Representative Brown offered a motion to report Senate Bill No. 119 with amendments. Without objection, Senate Bill No. 119 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Brown, Edmonston, Firment, Frieman, Huval, Illg, McCormick, and Willard 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. 190 by Representative Willard**

Representative Willard presented House Bill No. 190, which provides relative to maternity services of midwives and doulas.

Representative Willard offered amendments to:

- (1) Make technical changes;
- (2) Prohibit a health coverage plan from differentiating between services performed by midwives and physicians with respect to copayments, annual deductible amounts, or coinsurance percentages;
- (3) Remove certain language regarding discrimination of services between midwives and physicians;
- (4) Create the Louisiana Doula Registry board, outline legislative findings, and detail the board's purpose, composition, and duties. Authorize a doula to practice in this state,

regardless of whether the doula is registered with the board. Further require the La. Department of Health to provide support staff to the doula registry board; and

- (5) Change the effective date for when a policy, contract, or health coverage shall convert to the provisions of proposed law from January 1, 2022 to January 1, 2023.

Representative Willard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Frieman, Huval, Illg, and Willard voted yea.

Frankie Robertson, March of Dimes, 14335 Thorn Briar Dr., Baton Rouge, LA 70817, (225) 247-7834, spoke in support of House Bill No. 190.

Nicole Scott, Nikky Scott Inc., 6698 Lakeridge Dr., Zachary, LA 70791, (225) 993-5134, spoke in support of House Bill No. 190.

Ashley Hill Hamilton, Birthmark Doula Collective, 6100 Canal Blvd., New Orleans, LA 70127, (504) 451-0500, spoke in support of House Bill No. 190.

Representative Frieman offered amendments to remove the department ensuring Medicaid reimbursement rates paid for health services delivered by midwives are at least equal to the provider reimbursement rates paid by Medicare for those services. Representative Frieman offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Frieman, Huval, Illg, McCormick, and Willard voted yea.

Representative Frieman offered a motion to report House Bill No. 190 with amendments. Without objection, House Bill No. 190 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Frieman, Huval, Illg, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 1 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: 11 in support. Copies of these statements are included in the committee records.

#### **House Bill No. 455 by Representative DuBuisson**

Representative DuBuisson presented House Bill No. 455, which provides relative to the use of genetic information in underwriting for life and long-term care insurance.

Representative DuBuisson offered amendments in the form of a substitute bill.

Tom Clark, American Council of Life Insurers, P.O. Box 3197, Baton Rouge, LA, 70821, (225) 381-8007, spoke in support of House Bill No. 455.

Representative DuBuisson offered a motion to adopt the substitute bill. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Frieman, Illg, Mack, and McCormick voted yea.

Frank A. Opelka, Louisiana Department of Insurance (LDI), 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-5900, spoke for information only on House Bill No. 455.

Representative DuBuisson offered a motion to report House Bill No. 455 by substitute. Without objection, House Bill No. 455 was reported by substitute by a vote of 9 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Glover, Huval, Illg, McCormick, and Willard voted yea.

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

*Representative Huval is in the chair.*

#### **Senate Bill No. 191 by Senator Cloud**

On behalf of Senator Cloud, Chairman Brown presented Senate Bill No. 191, which provides relative to coverage of certain physician-administered drugs and related services.

Representative Brown offered amendments to:

- (1) Make technical changes; and
- (2) Provide that proposed law does not prohibit a health insurance issuer from establishing specialty care centers of excellence based on nationally established, objective quality measures to be utilized by covered persons focused on specific drugs or types of drugs to impact the safety, quality, affordability, and expertise of treatment.

Representative Brown offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Glover, Huval, Illg, McCormick, and Willard voted yea.

Ryan Cross, Franciscan Missionaries of Our Lady, 4200 Essen Ln., Baton Rouge, LA 70809, (225) 278-9215, spoke in support of Senate Bill No. 191.

Representative Edmonston offered a motion to report Senate Bill No. 191 with amendments. Without objection, Senate Bill No. 191 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Glover, Hollis, Huval, Illg, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 in opposition.

*Chairman Brown is in the chair.*

The committee stood at ease at 10:36 a.m. The committee reconvened at 10:42 a.m.

#### **House Bill No. 594 by Representative Dustin Miller**

Representative Brown offered a motion to voluntarily defer action on House Bill No. 594. Without objection, action on House Bill No. 594 was voluntarily deferred by a vote of 9 yeas and 0 nays. Representatives Brown, Firment, Frieman, Glover, Green, Hollis, Illg, Jordan, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 3 in opposition.

#### **House Bill No. 467 by Representative Jordan**

Representative Jordan presented House Bill No. 467, which prohibits the use of certain rating factors in automobile insurance underwriting.

Representative Jordan offered amendments to:

- (1) Make technical changes;
- (2) Add home ownership and any information derived from an insured's credit report to the list of prohibited factors in risk classification; and
- (3) Provide that the prohibited factors in risk classification shall not be used in determining policy premiums.

Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, Illg, and Jordan voted yea.

Eric Poe, CURE Insurance, 214 Carnegie Center, Princeton, NJ 08540, (609) 635-3807, spoke in support of House Bill No. 467 and provided handouts, Exhibit C and Exhibit D, which are included in the committee records.

Roosevelt Mosley, Pinnacle Actuarial Resources, 3109 Cornelius Dr., Bloomington, IL 61704, (309) 807-2330, spoke in opposition to House Bill No. 467.

Jon Schnautz, National Association of Mutual Insurance Companies, 10616 Thoroughbred Dr., Austin, TX 78748, (512) 395-5605, spoke in opposition to House Bill No. 467.

*Representative Huval is in the chair.*

*Chairman Brown is in the chair.*

Jim Donelon, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-7275, spoke in opposition to House Bill No. 467.

Richard Piazza, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-4689, spoke for information only on House Bill No. 467.

Kevin Cunningham, American Property Casualty Insurance Association, 543 Spanish Town Rd., Baton Rouge, LA 70802, (225) 268-2730, and provided a handout, Exhibit E, which is included in the committee records.

Representative Jordan offered a motion to report House Bill No. 467 with amendments, to which Representative Firmert objected. The administrative assistant called the roll, and House Bill No. 467 was reported with amendments by a vote of 7 yeas and 6 nays. Representatives Brown, Edmonston, Glover, Green, Jordan, Mack, and Willard voted yea. Representatives DuBuisson, Firmert, Hollis, Huval, Illg, and McCormick voted nay.

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

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

Representative Mack offered a motion to adjourn. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Brown, DuBuisson, Edmonston, Firment, Glover, Green, Hollis, Huval, Illg, Jordan, Mack, McCormick, and Willard voted yea.

The meeting was adjourned at 12:48 p.m.

Respectfully submitted,

Chairman Chad Brown  
House Committee on Insurance

Date adopted: