

House Committee on Labor and Industrial Relations

Minutes of Meeting
2021 Regular Session
April 29, 2021

I. CALL TO ORDER

Representative Barbara W. Carpenter, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:33 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Barbara W. Carpenter, chairman
Representative Valarie Hodges, vice chairman
Representative Beryl A. Amedée
Representative Mack Marcel Cormier
Representative Kenny R. Cox
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Lawrence "Larry" Frieman
Representative Dodie Horton
Representative Ed Larvadain, III
Representative Tammy T. Phelps

MEMBERS ABSENT:

Representative Robert "Bob" Owen

STAFF MEMBERS PRESENT:

Jurissa McGuire, attorney
Johnna Johnson, committee administrative assistant
Nevonda S. Reed, director
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Mia Ditta, clerk
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 183 by Representative Brown

On behalf of Representative Brown, Robert Wooley, Louisiana Workforce Commission (LWC), 1001 N. 23rd Street, Baton Rouge, LA 70802, (225) 938-4240, presented House Bill No. 183, which provides relative to state income tax withholdings on federal disaster unemployment compensation benefits.

Representative Larvadain offered a motion to report House Bill No. 183 favorably. Without objection, House Bill No. 183 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

House Bill No. 512 by Representative Frieman

Representative Frieman presented House Bill No. 512, which provides relative to reimbursement for implants.

Michael Morris, Louisiana Home Builders Association, 660 Laurel Street, 2nd floor, Baton Rouge, LA 70802, (225) 387-0286, spoke in support of House Bill No. 512.

Julie Cherry, Louisiana American Federation of Labor and Congress of Industrial Organization, 429 Government Street, Baton Rouge, LA 70802, (225) 383-5741, spoke in opposition to House Bill No. 512.

Shannon Lindsey, Injured Workers, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, spoke in opposition to House Bill No. 512.

Robin L. Krumholt, Injured Workers, 6513 Perkins Road, Baton Rouge, LA 70808, (225) 478-4492, spoke in opposition to House Bill No. 512.

Representative Frieman offered amendments to House Bill No. 512 to:

- (1) Make technical changes.
- (2) Delete that the reimbursement for the implant shall be the total of the manufacturer's original invoice amount plus twenty percent.
- (3) Change references to "authorized distributor" to "distributor authorized by the manufacturer".

- (4) Add that the original manufacturer's invoice and the authorized distributor's invoice detailing the amount paid for the implants by the hospital or ambulatory surgery center be submitted to the payor.
- (5) Require the submission of the distributor's invoice instead of the distributor's original invoice.
- (6) Add a definition for implant, which means plastic and metallic implants or non-autogenous graft materials.
- (7) Delete the requirement that the hospital or ambulatory surgery center act as a prudent buyer.

Representative Frieman offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Echols, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

Representative Frieman offered a motion to report House Bill No. 512 with amendments, to which Representative Larvadain objected. The administrative assistant called the roll, and House Bill No. 512 was reported with amendments by a vote of 8 yeas and 3 nays. Representatives Carpenter, Amedée, Cox, Crews, Echols, Frieman, Hodges, and Horton voted yea. Representatives Cormier, Larvadain, and Phelps voted nay.

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

House Bill No. 180 by Representative Goudeau

Representative Carpenter offered a motion to voluntarily defer action on House Bill No. 180, which provides relative to unemployment compensation requirements. Without objection, action on House Bill No. 180 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Echols, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

House Bill No. 478 by Representative Stagni

Representative Stagni presented House Bill No. 478, which provides relative to additional medical opinions for worker's compensation claims.

Sheral Kellar, LWC, 1001 N. 23rd Street, Baton Rouge, LA 70802, (225) 342-7561, spoke for information only on House Bill No. 478.

Ava Dejoie, LWC, 1001 N. 23rd Street, Baton Rouge, LA 70802, (225) 453-7249, spoke for information only on House Bill 478.

Shannon Lindsey, Injured Workers, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, spoke in support of House Bill No. 478.

Robin L. Krumholt, Injured Workers, 6513 Perkins Road, Baton Rouge, LA 70808, (225) 478-4492, spoke in support of House Bill No. 478.

Trey Mustian, Louisiana Association for Justice, 4515 Orleans Boulevard, Jefferson, LA 70121, (504) 231-4697, spoke in support of House Bill No. 478.

Wayne Fontana, Louisiana Association of Business and Industry, 1515 Poydras Street, Suite 2330, New Orleans, LA 70112, (504) 583-4114, spoke in opposition to House Bill No. 478.

Representative Larvadain offered amendments to House Bill No. 478 to make technical changes. 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 Carpenter, Amedée, Cormier, Cox, Crews, Echols, Frieman, Horton, Larvadain, and Phelps voted yea.

Representative Cox offered a motion to report House Bill No. 478 with amendments, to which Representative Frieman objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 4 nays. Representatives Carpenter, Cormier, Cox, and Larvadain voted yea. Representatives Crews, Frieman, Hodges, and Horton voted nay.

Representative Carpenter offered a motion to voluntarily defer action on House Bill No. 478. Without objection, action on House Bill No. 478 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Carpenter, Cormier, Cox, Crews, Frieman, Hodges, Horton, and Larvadain voted yea.

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

IV. OTHER BUSINESS

The minutes from the 2020 Regular Session committee meetings held on May 7th, May 14th, and May 20th were presented to the committee for approval. Representative Larvadain offered a motion to adopt the minutes. Without objection, the minutes were approved by a vote of 10 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

The minutes from the 2020 1st Extraordinary Session committee meetings held on June 16th and June 25th were presented to the committee for approval. Representative Larvadain offered a motion to adopt the minutes. Without objection, the minutes were approved by a vote of 10 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

The minutes from the 2020 2nd Extraordinary Session committee meetings held on October 12th and October 15th were presented to the committee for approval. Representative Larvadain offered a motion to adopt the minutes. Without objection, the minutes were approved by a vote of 10 yeas and 0 nays. Representatives Carpenter, Amedée, Cormier, Cox, Crews, Frieman, Hodges, Horton, Larvadain, and Phelps voted yea.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Frieman offered a motion to adjourn. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Carpenter, Cormier, Cox, Crews, Frieman, Hodges, Horton, and Larvadain voted yea.

The meeting was adjourned at 12:16 p.m.

Respectfully submitted,

Chairman Barbara W. Carpenter
House Committee on Labor and Industrial Relations

Date adopted: 4/7/22