

House Committee on Labor and Industrial Relations

Minutes of Meeting
2022 Regular Session
April 20, 2022

I. CALL TO ORDER

Representative Barbara W. Carpenter, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:37 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Barbara W. Carpenter, chairman
Representative Beryl A. Amedée
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Lawrence "Larry" Frieman
Representative Dodie Horton
Representative Ed Larvadain, III
Representative Robert "Bob" Owen
Representative Tammy T. Phelps
Representative Neil Riser, vice chairman
Representative Laurie Schlegel

MEMBERS ABSENT:

Representative Mack Marcel Cormier
Representative Kenny R. Cox
Representative Valarie Hodges

STAFF MEMBERS PRESENT:

Jurissa McGuire, attorney
Johnna Johnson, committee administrative assistant
Nevonda S. Reed, division director

ADDITIONAL ATTENDEES PRESENT:

Victoria Grant, committee clerk
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 241 by Representative Riser

Representative Riser presented House Bill No. 241, which provides relative to the Fresh Start Proper Worker Classification Initiative.

Representative Riser offered a motion to voluntarily defer action on House Bill No. 241. Without objection, action on House Bill No. 241 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Echols, Frieman, Horton, Phelps, Riser, and Schlegel voted yea.

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

House Bill No. 306 by Representative Green

Representative Riser in the chair.

On behalf of Representative Green, Joseph Jolissaint, Injured Workers, 9191 Siegen Lane, Suite 4B, Baton Rouge, LA 70810, (225) 907-7202, presented House Bill No. 306, which provides for workers' compensation intervention rights.

Jim Patterson, Louisiana Association of Business and Industry (LABI), 500 Main Street, Baton Rouge, LA 70802, (225) 928-5388, spoke in opposition to House Bill No. 306.

Wayne Fontana, LABI, and Louisiana Association of Self Insured Employers (LASIE), 1515 Poydras Street, Suite 2330, New Orleans, LA 70112, (504) 583-4114, spoke in opposition to House Bill No. 306.

Meredith Trahan, Louisiana Workforce Commission (LWC), 1001 North 23rd Street, Baton Rouge, LA 70802, (225) 342-1599, spoke for information only on House Bill No. 306.

Representative Riser offered an amendment to make technical changes. Representative Riser offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Carpenter, Amedee, Crews, Echols, Frieman, Horton, Phelps, Riser, and Schlegel voted yea.

Representative Phelps offered a motion to report House Bill No. 306 with amendments, to which Representative Frieman objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 2 yeas and 7 nays. Representatives Carpenter and Phelps voted yea. Representatives Amedée, Crews, Echols, Frieman, Horton, Riser, and Schlegel voted nay.

Representative Frieman offered a motion to involuntarily defer action on House Bill No. 306, to which Representative Phelps objected. The administrative assistant called the roll, and action on House Bill No. 306 was involuntarily deferred by a vote of 7 yeas and 2 nays. Representatives Amedée, Crews, Echols, Frieman, Horton, Riser, and Schlegel voted yea. Representatives Carpenter and Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 7 in opposition. Witness cards are included in the committee records.

House Bill No. 93 by Representative Frieman

Representative Carpenter in the chair.

Representative Frieman presented House Bill No. 93, which provides relative to continuances in workers' compensation cases.

Matthew Tierney, Louisiana Association of Self Insured Employers (LASIE), 3535 South Sherwood Forest Boulevard, Suite 233, Baton Rouge, LA 70816, (225) 298-0770, spoke in support of House Bill No. 93.

Mary Salley, 412 Delaware Street, Shreveport, LA 71106, (318) 286-2122, spoke in support of House Bill No. 93.

Representative Carpenter offered amendments to make technical changes. Representative Carpenter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Riser, and Schlegel voted yea.

Representative Riser offered a motion to report House Bill No. 93 with amendments. Without objection, House Bill No. 93 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Riser, and Schlegel voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

House Bill No. 94 by Representative Frieman

Representative Frieman presented House Bill No. 94, which provides relative to reimbursement for implants.

Representative Frieman offered a motion to voluntarily defer action on House Bill No. 94. Without objection, action on House Bill No. 94 was voluntarily deferred by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Riser, and Schlegel voted yea.

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

House Bill No. 176 by Representative Frieman

Representative Frieman presented House Bill No. 176, which provides relative to medical examinations.

Meredith Trahant, LWC, 1001 North 23rd Street, Baton Rouge, LA 70802, (225) 342-1599, spoke for information only on House Bill No. 176.

Wayne Fontana, LABI and LASIE, 1515 Poydras Street, Suite 2330, New Orleans, LA 70112, (504) 583-4114, spoke in support of House Bill No. 176.

Shannon Lindsey, Injured Workers, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, spoke in opposition to House Bill No. 176.

Mary Salley, 412 Delaware Street, Shreveport, LA 71106, (318) 286-2122, spoke in opposition to House Bill No. 176.

Robin L. Krumholt, Injured Workers, 6513 Perkins Road, Baton Rouge, LA 70808, (225) 478-4492, spoke in opposition to House Bill No. 176.

Tim Benedetto, Louisiana Workers' Advocates, 3045 Ridgelake Drive, Suite 203, Metairie, LA 70001, (504) 838-8883, spoke in opposition of House Bill No. 176.

Representative Frieman offered a motion to report House Bill No. 176 favorably. Without objection, House Bill No. 176 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Robert Owen, Riser, and Schlegel voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support and 7 in opposition. Witness cards are included in the committee records.

House Bill No. 480 by Representative Gaines

Representative Gaines presented House Bill No. 480, which provides relative to a presumption of compensability under workers' compensation.

Shannon Lindsey, Injured Workers, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, spoke in support to House Bill No. 480.

Robin L. Krumholt, Injured Workers, 6513 Perkins Road, Baton Rouge, LA 70808, (225) 478-4492, spoke in support to House Bill No. 480.

Wayne Fontana, LABI and LASIE, 1515 Poydras Street, Suite 2330, New Orleans, LA 70112, (504) 583-4114, spoke in opposition to House Bill No. 480.

Representative Carpenter offered a motion to report House Bill No. 480 favorably, to which Representative Frieman objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 1 yeas and 8 nays. Representative Carpenter voted yeas. Representatives Amedée, Crews, Echols, Frieman, Horton, Robert Owen, Riser, and Schlegel voted nay.

Representative Carpenter offered a motion to voluntarily defer action on House Bill No. 480, to which Representative Frieman objected. Representative Frieman offered a substitute motion to involuntarily defer action on House Bill No. 480, to which Representative Carpenter objected. The administrative assistant called the roll, and action on House Bill No. 480 was involuntarily deferred by a vote of 9 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Robert Owen, Riser, and Schlegel voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 8 in opposition. Witness cards are included in the committee records.

House Bill No. 502 by Representative Gaines

Representative Gaines presented House Bill No. 502, which provides relative to a payor's failure to authorize an approved medical treatment or testing.

Tim Benedetto, Louisiana Workers' Advocates, 3045 Ridgelake Drive, Suite 203, Metairie, LA 70001, (504) 838-8883, spoke in support of House Bill No. 502.

Shannon Lindsey, Injured Workers, 1680 Old Spanish Trail, Slidell, LA 70458, (985) 643-1755, spoke in support to House Bill No. 502.

Wayne Fontana, LABI and LASIE, 1515 Poydras Street, Suite 2330, New Orleans, LA 70112, (504) 583-4114, spoke in opposition to House Bill No. 502.

Matthew Tierney, LASIE, 3535 South Sherwood Forest Boulevard, Suite 233, Baton Rouge, LA 70816, (225) 298-0770, spoke in opposition to House Bill No. 502.

Representative Carpenter offered amendments to make technical changes. Representative Carpenter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Robert Owen, Riser, and Schlegel voted yeas.

Representative Larvadain offered a motion to report House Bill No. 502 with amendments. Representative Frieman offered a substitute motion to involuntarily defer action on House Bill No. 502, to which Representative Larvadain objected. The administrative assistant called the roll, and

action on House Bill No. 502 was involuntarily deferred by a vote of 7 yeas and 2 nays. Representatives Amedée, Crews, Echols, Frieman, Horton, Robert Owen, and Schlegel voted yea. Representatives Carpenter and Larvadain voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 5 in opposition. Witness cards are included in the committee records.

House Bill No. 239 by Representative Frieman

Representative Frieman presented House Bill No. 239, which provides relative to stays in workers' compensation cases.

Matthew Tierney, LASIE, 3535 South Sherwood Forest Boulevard, Suite 233, Baton Rouge, LA 70816, (225) 298-0770, spoke in support of House Bill No. 239.

Meredith Trahant, LWC, 1001 North 23rd Street, Baton Rouge, LA 70802, (225) 342-1599, spoke for information only on House Bill No. 239.

Representative Frieman offered a motion to report House Bill No. 239 favorably. Without objection, House Bill No. 239 was reported favorably by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Larvadain, Robert Owen, and Schlegel voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

House Bill No. 467 by Representative Frieman

Representative Frieman presented House Bill No. 467, which provides relative to allocation to dependents.

Robin L. Krumholt, Injured Workers, 6513 Perkins Road, Baton Rouge, LA 70808, (225) 478-4492, spoke in opposition to House Bill No. 467.

Representative Frieman offered a motion to report House Bill No. 467 favorably, to which Representative Larvadain objected. The administrative assistant called the roll, and House Bill No. 467 was reported favorably by a vote of 8 yeas and 1 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Robert Owen, and Schlegel voted yea. Representative Larvadain voted nay.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 7 in opposition. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:56 p.m.

Respectfully submitted,

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

Date adopted: