

House Committee on Insurance

Minutes of Meeting
2024 Regular Session
April 16, 2024

I. CALL TO ORDER

Representative Michael "Gabe" Firment, chairman of the House Committee on Insurance, called the meeting to order at 9:29 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Michael "Gabe" Firment, chairman
Representative Lawrence A. "Larry" Bagley
Representative Dennis Bamburg, Jr.
Representative Jacob Braud
Representative Chad Brown, vice chairman
Representative Aimee Adatto Freeman
Representative Jack "Jay" William Gallé, Jr.
Representative Brian Leonard Glorioso
Representative Kyle M. Green, Jr.
Representative Troy Jude Hebert
Representative Chance Keith Henry
Representative John R. Illg, Jr.
Representative Michael T. Johnson
Representative Edmond Jordan
Representative Mandie Landry
Representative Shaun Raphael Mena
Representative Tammy T. Phelps
Representative Roger William Wilder, III
Representative Matthew Willard

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Rashida Keith, attorney
Alicia Powell, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms
Danny Leming, sergeant at arms
Myrtis Jarrell, sergeant at arms
Angela Mamou, sergeant at arms
Ralph Palmer, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 839 by Representative Hebert**

Representative Hebert presented House Bill No. 839, which provides relative to step therapy or fail first protocols.

Representative Hebert provided a handout, Exhibit A, which is included in the committee records.

Representative Firmant offered amendments to:

- (1) Remove proposed law language to exclusively apply proposed law to ventilators that meet certain criteria. Prohibit a health coverage plan from subjecting a prescription or order for such ventilators to any step therapy or fail first protocol; and
- (2) Make technical changes.

William Frazier, VieMed Healthcare, 625 E. Kaliste Saloom Rd., Lafayette, LA 70508, spoke in support of House Bill No. 839.

Chuck Coolidge, VieMed Healthcare, 625 E. Kaliste Saloom Rd., Lafayette, LA 70508, spoke in support of House Bill No. 839.

Representative Firmant offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Firmant, Bagley, Bamburg, Braud, Brown, Freeman, Galle, Glorioso, Hebert, Henry, Illg, Mike Johnson, Mandie Landry, Mena, Wilder, and Willard voted yea.

Representative Illg offered a motion to report House Bill No. 839 with amendments. Without objection, House Bill No. 839 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Firmant, Bagley, Bamburg, Braud, Brown, Freeman, Galle, Glorioso, Hebert, Henry, Illg, Jordan, Mandie Landry, Mena, and Wilder 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 Concurrent Resolution No. 53 by Representative Glorioso

Representative Glorioso presented House Concurrent Resolution No. 53, which requests the commissioner of insurance to investigate the potential for creating a Coastal Reinsurance Assistance Program.

Representative Brown offered a motion to report House Concurrent Resolution No. 53 favorably. Without objection, House Concurrent Resolution No. 53 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Freeman, Galle, Glorioso, Hebert, Henry, Illg, Jordan, Mandie Landry, and Mena voted yea.

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

House Bill No. 509 by Representative Brown

Representative Brown presented House Bill No. 509, which provides relative to pharmacy benefit managers.

Representative Firment offered a technical amendment. Representative Firment offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 14 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Freeman, Galle, Glorioso, Hebert, Henry, Illg, Jordan, Mandie Landry, and Mena voted yea.

Brian Henderson, Coalition of State Rheumatology Organizations, 1819 W. Division St., Chicago, IL 60622, spoke in support of House Bill No. 509.

Representative Brown offered a motion to voluntarily defer action on House Bill No. 509. Without objection, action on House Bill No. 509 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Galle, Glorioso, Hebert, Henry, Mike Johnson, Jordan, Mandie Landry, Mena, and Wilder voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support, 8 in opposition, and 1 for information only. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 509 pursuant to House Rule 14.33.

Vice Chairman Brown in the chair.

House Bill No. 603 by Representative Firment

Representative Firment presented House Bill No. 603, which provides relative to claims of pharmacies and pharmacists.

Representative Firment offered amendments to:

- (1) Modify the definition of "health insurance issuer" to remove the agent of an insurance company from inclusion in the definition. Provide that a "health insurance issuer" includes a pharmacy benefit manager and any person acting on behalf of a pharmacy benefit manager.

Representative Firment offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Galle, Glorioso, Hebert, Henry, Illg, Mike Johnson, Jordan, Mandie Landry, Mena, Wilder, and Willard voted yea.

Representative Brown offered a technical amendment. Representative Brown offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 16 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Galle, Glorioso, Hebert, Henry, Illg, Mike Johnson, Jordan, Mandie Landry, Mena, Wilder, and Willard voted yea.

Randal Johnson, Louisiana Independent Pharmacies Association (LIPA), 543 Spanish Town Rd., Baton Rouge, LA 70802, spoke in support of House Bill No. 603.

Don Caffery, LIPA, 543 Spanish Town Rd., Baton Rouge, LA 70802, spoke in support of House Bill No. 603.

Sheri Huval, PharmCare of Louisiana, 208 E. St. Peter St., Carencro, LA 70520, spoke for information only on House Bill No. 603.

Joel Fruge, PharmCare, 454 Heymann Blvd., Lafayette, LA 70503, spoke for information only on House Bill No. 603.

Rob Rieger, Pharmaceutical Care Management Association (PCMA), 450 Laurel St., Baton Rouge, LA 70801, spoke in opposition to House Bill No. 603.

Michael Power, PCMA, 1020 Karen Ct., Smyrna, GA 30082, spoke in opposition to House Bill No. 603.

Josh Sonnier, Ironworkers Local #623, 6153 Airline Hwy., Baton Rouge, LA 70805, spoke in opposition to House Bill No. 603.

Representative Jordan offered amendments to:

- (1) Remove provisions of present law (R.S 22:1852);
- (2) Require an entity conducting a claim review to deliver notice to the pharmacy, and require the pharmacy to submit information to the entity within 15 days from the date of receipt of the notice;
- (3) Further require a pharmacy requesting an extension to provide a written request to the entity within 15 days following receipt of the notice;
- (4) Change the present law requirement from 2 weeks to 15 days regarding an entity's timeframe to provide notice to a pharmacy before conducting an initial audit. Further require a pharmacy to respond to the notice within 15 days;
- (5) Require a pharmacy to provide documents to the entity within 15 days following receipt of the report to demonstrate that the pharmacy is in compliance, if an entity reports a discrepancy in the preliminary audit report. Further require a pharmacy requesting an extension to provide a written request to the entity within 15 days following receipt of the notice. Further provide that an entity has 30 days to review documents to determine if the pharmacy is in violation of any law;
- (6) Provide that a pharmacy has at least 30 days to initiate an appeal if the entity sends the pharmacy notice of an adverse determination. Provide that a pharmacy has 30 days following receipt of the notice of an adverse determination to provide a written request to the entity for extension; and
- (7) Authorize an entity to grant any extensions for good cause. Require entities and pharmacies to deliver all information regarding audits through the U.S. Postal Service or commercial carrier, fax or electronic transfer, or personal delivery.

Representative Jordan offered a motion to adopt the proposed amendments, to which Representative Firment objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 7 yeas and 11 nays. Representatives Brown, Freeman, Green, Jordan, Mandie Landry, Mena, and Willard voted yea. Representatives Firment, Bagley, Bamburg, Braud, Galle, Glorioso, Hebert, Henry, Illg, Mike Johnson, and Wilder voted nay.

Representative Firment offered a motion to report House Bill No. 603 with amendments, to which Representative Willard objected. The administrative assistant called the roll, and House Bill No. 603 was reported with amendments by a vote of 12 yeas and 4 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Galle, Glorioso, Hebert, Henry, Illg, Mike Johnson, and Wilder voted yea. Representatives Freeman, Jordan, Mandie Landry, and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support, 8 in opposition, and 1 for information only. Witness cards are included in the committee records.

Chairman Firment in the chair.

House Bill No. 704 by Representative Chassion

Representative Chassion presented House Bill No. 704, which creates the pharmacy benefit managers quality incentive program.

Sheri Huval, PharmCare of Louisiana, 208 E. St. Peter St., Carencro, LA 70520, spoke in support of House Bill No. 704.

Joel Fruge, PharmCare, 454 Heymann Blvd., Lafayette, LA 70503, spoke in support of House Bill No. 704.

Rob Rieger, PCMA, 450 Laurel St., Ste. 1900, Baton Rouge, LA 70801, spoke for information only on House Bill No. 704.

Michael Power, PCMA, 1020 Karen Ct., Smyrna, GA 30082, spoke for information only on House Bill No. 704.

Randal Johnson, LIPA, 543 Spanish Town Rd., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 704.

Representative Jordan offered a motion to report House Bill No. 704 favorably. Without objection, House Bill No. 704 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Firment, Bamburg, Brown, Galle, Glorioso, Green, Henry, Illg, Jordan, Mena, Wilder, and Willard voted yea.

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

House Bill No. 958 by Representative Amedee

Representative Amedee presented House Bill No. 958, which prohibits financial incentives or penalties to encourage healthcare providers to administer vaccinations.

Jill Hines, Health Freedom Louisiana, 3301 17th St., Ste. 7443, Metairie, LA 70010, spoke in support of House Bill No. 958 and provided handouts, Exhibits B and C, which are included in the committee records.

Mariah Bowen, Louisiana State Medical Society, 5555 Hilton Ave., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 958.

Abi Licatino, 201 S. Tallowood Dr., Covington, LA 70433, spoke in support of House Bill No. 958.

Susan Bankston, 17848 British Ln., Baton Rouge, LA 70810, spoke in opposition to House Bill No. 958.

Steven Wright, Louisiana Academy of Pediatrics, 2270 Eliza Beaumont Ln., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 958.

Representative Glorioso offered a motion to report House Bill No. 958 favorably, to which Representative Willard objected. The administrative assistant called the roll, and House Bill No. 958 was reported favorably by a vote of 9 yeas and 8 nays. Representatives Firment, Bagley, Bamburg, Braud, Galle, Glorioso, Hebert, Henry, and Wilder voted yea. Representatives Brown, Freeman, Green, Illg, Jordan, Mena, Phelps, and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 8 in opposition, and 1 for information only. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 958 pursuant to House Rule 14.33.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Galle offered a motion to adjourn. Without objection, the motion passed by a vote of 17 yeas and 0 nays. Representatives Firment, Bagley, Bamburg, Braud, Brown, Freeman, Galle, Glorioso, Green, Hebert, Henry, Illg, Jordan, Mena, Phelps, Wilder, and Willard voted yea.

The meeting was adjourned at 1:37 p.m.

Respectfully submitted,

Chairman Michael "Gabe" Firment
House Committee on Insurance

Date adopted: September 6, 2024