

House Committee on Labor and Industrial Relations

Minutes of Meeting
2024 Regular Session
April 18, 2024

I. CALL TO ORDER

Representative Raymond J. Crews, chair of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:09 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Raymond J. Crews, chair
Representative Dennis Bamburg, Jr.
Representative Tehmi Jahi Chassion
Representative Jason Brian Dewitt
Representative Michael Charles Echols
Representative Brian Leonard Glorioso
Representative Dodie Horton, vice chair
Representative Ed Larvadain, III
Representative Dixon Wallace McMakin
Representative Michael Melerine
Representative Shaun Raphael Mena
Representative Tammy T. Phelps
Representative Phillip Eric Tarver
Representative Roger William Wilder, III

MEMBERS ABSENT:

Representative Joy Walters

STAFF MEMBERS PRESENT:

Jurissa McGuire, attorney
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Jaubert Ambeau, III, chief sergeant at arms
Angela Mamou, assistant sergeant at arms
Devin Washington, assistant sergeant at arms
Myrtis Jarell, sergeant at arms

Janet Anthony, sergeant at arms
Nevonda Reed Dobard, division director

III. DISCUSSION OF LEGISLATION

Representative Bamburg offered a motion to invoke the three-minute rule. Without objections, the motion passed by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Mena, Tarver, and Wilder voted yea.

House Bill No. 119 by Representative Romero

Representative Romero presented House Bill No. 119, which provides relative to the duration of unemployment compensation benefits and provides for extended benefits.

Representative Echols offered amendments to:

- (1) Clarify that the maximum number of weekly benefits shall be based upon the state seasonally adjusted unemployment rates;
- (2) Change the publication requirement of the department from monthly to biannually;
and
- (3) Change the benefit period from a period equal to 20 times an individual's weekly benefit amount to up to 20 times an individual's weekly benefit amount.

Representative Echols offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Mena, Tarver, and Wilder voted yea.

Brian Sikma, Opportunity Solutions Project, 1181 Lowell Dr., Apt. 2, Oconomowoc, WI 53066, spoke in support of House Bill No. 119.

Margaret Mabile, Louisiana Workforce Commission (LCW), 1001 N. 22nd St., Baton Rouge, LA 70802, spoke for information only on House Bill No. 119.

Robert Wooley, LWC, 1001 N. 22nd St., Baton Rouge, LA 70802, spoke for information only on House Bill No. 119.

Erika Zucker, Workplace Justice Project at Loyola Law Clinic, 540 Broadway St., New Orleans, LA 70118, spoke in opposition to House Bill No. 119.

Christina LeBlanc, Invest in Louisiana, 619 Jefferson Hwy., Baton Rouge, LA 70806, spoke in opposition to House Bill No. 119.

Dawn Arevalo, International Alliance of Theatrical Stage Employees No. 478, 3045 Hero Dr., Gretna, LA 70053, spoke in opposition to House Bill No. 119.

Gabriel Shaw, Step Up for Action, 4128 Lac Couture Dr., Harvey, LA 70058, spoke in opposition to House Bill No. 119.

Representative Echols offered a motion to report House Bill No. 119 with amendments, to which Representative Larvadain objected. The executive assistant called the roll, and House Bill No. 119 was reported with amendments by a vote of 9 yeas and 3 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, McMakin, Tarver, and Wilder voted yea. Representatives Chassion, Larvadain, and Mena voted nay.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 39 in opposition. Witness cards are included in the committee records.

Representative Horton in the chair.

House Bill No. 529 by Representative Crews

Representative Crews presented House Bill No. 529, which provides relative to the determination of the average weekly wage.

Representative Horton offered amendments to replace provisions of proposed law that define wages with a new definition and make technical and title changes. Representative Horton offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Chassion, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Mena, Tarver, and Wilder voted yea.

Patrick Robinson, Louisiana Association of Business Industry (LABI), 500 Main St., Baton Rouge, LA 70802, spoke in support of House Bill No. 529.

Brian Blackwood, LWC, 1001 N. 23rd St., Baton Rouge, LA 70802, spoke for information only on House Bill No. 529.

Connie Freese, Risk Management Services, 11404 Lake Sherwood Ave N., Ste. A, Baton Rouge, LA 70816, spoke in support of House Bill No. 529.

Chad Major, Professional Firefighters Association of Louisiana (PFFALA), 2311 Merle Gustafson Dr., Baton Rouge, LA 70807, spoke in opposition to House Bill No. 529.

Robert Todd, 201 W. Lauren Dr., Alexandria, LA 71303, spoke in opposition to House Bill No. 529.

Representative Glorioso offered a motion to report House Bill No. 529 with amendments, to which Representative Larvadain objected. The executive assistant called the roll, and House Bill No. 529 was reported with amendments by a vote of 10 yeas and 3 nays. Representatives Crews, Bamburg, Chassion, Dewitt, Echols, Glorioso, Horton, McMakin, Tarver, and Wilder voted yea. Representatives Larvadain, Mena, and Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 13 in support and 56 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 529 pursuant House Rule 14.33.

Representative Crews in the chair.

House Bill No. 156 by Representative Wilder

Representative Wilder presented House Bill No. 156, which repeals the provision of law relative to recreation or meal periods for minors.

Representative Horton offered a motion to report House Bill No. 156 favorably, to which Representative Phelps objected. The executive assistant called the roll, and House Bill No. 156 was reported favorably by a vote of 10 yeas and 3 nays. Representatives Crews, Bamburg, Chassion, Dewitt, Echols, Glorioso, Horton, McMakin, Tarver, and Wilder voted yea. Representatives Larvadain, Mena, and Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 43 in opposition. Witness cards are included in the committee records.

House Bill No. 863 by Representative Echols

This is a continuation of the discussion on House Bill No. 863 from a meeting held on April 11, 2024. Please check for the prior action to complete the record of discussion and motions on House Bill No. 863.

Representative Echols presented House Bill No. 863, which provides for adoption of a medical fee reimbursement schedule for workers' compensation.

Representative Echols offered amendments:

- (1) To provide for the calculation of the reimbursement schedule;
- (2) Provides for duties of the assistant secretary of the office of worker's compensation;

- (3) To provide for legislative reporting and oversight; and
- (4) Make technical changes.

Representative Echols offered a motion to adopt the proposed amendments, to which Representative Larvadain objected. The executive assistant called the roll, and the amendments were adopted by a vote of 11 yeas and 2 nays. Representatives Crews, Bamburg, Chassion, Dewitt, Echols, Glorioso, Horton, McMakin, Mena, Tarver, and Wilder voted yea. Representatives Larvadain and Phelps voted nay.

Representative Tarver offered amendments to restore provisions of present law that provides for the collection of information and data necessary for the calculation of the reimbursement schedule, and make technical changes. Representative Tarver offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Chassion, Dewitt, Echols, Glorioso, Horton, McMakin, Mena, Phelps, Tarver, and Wilder voted yea.

Joseph Jolissaint, Injured Workers, 9191 Siegen Ln., #4B, Baton Rouge, LA 70810, spoke in opposition to House Bill No. 863.

Chad Major, PFFALA, 8011 Merle Gustafson Dr., Baton Rouge, LA 70807, spoke in opposition to House Bill No. 863.

Brian Blackwood, LWC, 1001 N. 23rd St., Baton Rouge, LA 70802, spoke for information only on House Bill No. 863.

Larry Verges, Ambulatory Surgery Center Association (ASCA), 1207 N. Causeway Blvd., Metairie, LA 70001, spoke in opposition to House Bill No. 863.

Cindy Bishop, ASCA, P.O. Box 80053, Baton Rouge, LA 70898, spoke in opposition to House Bill No. 863.

Jeni Whitfield, Louisiana Health Solutions (LHA), 374 Perrilloux Rd., Madisonville, LA 70447, spoke in opposition to House Bill No. 863.

Robert Todd, 201 W. Lauren Dr., Alexandria, LA 71303, spoke in opposition to House Bill No. 863.

Maria Losavio, Injured Working Citizens of Louisiana (IWCL), 5826 Navaho Trl., Alexandria, LA 71301, spoke in opposition to House Bill No. 863.

Don Caffery, Louisiana Orthopaedic Association (LOA), 822 Harding St., Ste. 307, Lafayette, LA 70503, spoke in opposition to House Bill No. 863.

Representative Phelps offered an amendment to ensure the assistant secretary include stakeholders and partners when calculating the fee reimbursement schedule. Representative Phelps offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Phelps, Tarver, and Wilder voted yea.

Representative Echols offered a motion to report House Bill No. 863 with amendments, to which Representative Larvadain objected. The executive assistant called the roll, and House Bill No. 863 was reported with amendments by a vote of 10 yeas and 2 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, McMakin, Melerine, Tarver, and Wilder voted yea. Representatives Larvadain and Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 16 in support and 60 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 863 pursuant House Rule 14.33.

House Bill No. 200 by Representative Melerine

Representative Melerine presented House Bill No. 200, which provides relative to past payments of workers' compensation premiums.

Representative Melerine offered amendments:

- (1) To clarify that the audit provided for in proposed law is a payroll audit;
- (2) To provide for workers' compensation premiums when the National Council on Compensation Insurance conducts an audit;
- (3) To provide that proposed law does not apply to self-insurance funds;
- (4) To provide that proposed law only applies for the duration of a policy; and
- (5) To make a technical change.

Representative Melerine offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Phelps, Tarver, and Wilder voted yea.

Representative Melerine offered a motion to report House Bill No. 200 with amendments. Without objection, House Bill No. 200 was reported with amendments by a vote of 9 yeas and 0 nays.

Representatives Crews, Bamburg, Echols, Glorioso, McMakin, Melerine, Phelps, Tarver, and Wilder voted yea.

Witness cards submitted by individuals who did not speak are as follows: 10 in support and 40 in opposition. Witness cards are included in the committee records.

House Bill No. 360 by Representative Melerine

Representative Melerine offered a motion to voluntarily defer action on House Bill No. 360, which repeals the Workers' Compensation Advisory Council. Without objection, action on House Bill No. 360 was voluntarily deferred by a vote of 10 yeas and 0 nays. Representatives Crews, Bamburg, Echols, Glorioso, Larvadain, McMakin, Melerine, Phelps, Tarver, and Wilder voted yea.

Prepared statements were received via email for House Bill No. 360 pursuant to House Rule 14.33.

House Bill No. 618 by Representative Beaulieu

Representative Beaulieu presented House Bill No. 618, which provides relative to accident reporting and access to medical records and information related to claims.

Representative Tarver offered amendments to:

- (1) Amend the provisions of proposed law concerning the medical release authorization and provide the procedure for submitting the authorization form;
- (2) Add and amend provisions of present law to include certain claims arising out of present law;
- (3) Add a provision concerning when an expedited summary proceeding can be conducted;
- (4) Provide for instances when notice is given 30 days after the work accident;
- (5) Provide for when the notice provided for in proposed law is not required; and
- (6) Make technical and title corrections.

Representative Tarver offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Crews, Bamburg, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Phelps, Tarver, and Wilder voted yea.

Patrick Robinson, LABI, 500 Main St., Baton Rouge, LA 70802, spoke in support of House Bill No. 618.

Maria Losavio, IWCL, 5826 Navaho Trl., Alexandria, LA 71301, spoke in opposition to House Bill No. 618.

Robin Krumholt, Injured Workers, 6513 Perkins Rd., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 618.

Chad Major, Professional Firefighters, 8011 Merle Gustafon Dr., Baton Rouge, LA 70807, spoke in opposition to House Bill No. 618.

Don Caffery, LOA, 822 Harding St., Ste. 307, Lafayette, LA 70503, spoke in opposition to House Bill No. 618.

Pamela Moses-Lavamore, 2912 Rene Beauregard Ave., Baton Rouge, LA 70820, spoke in opposition to House Bill No. 618.

Trey Mustian, Injured Workers, 4515 Orleans Blvd., Jefferson, LA 70121, spoke in opposition to House Bill No. 618.

Daren Sarprie, Injured Workers, 3500 N. Allen St., Ste. 18-225, Metairie, LA 70002, spoke in opposition to House Bill No. 618.

Joseph Jolissaint, Injured Workers, 7191 Siegen Ln., #4B, Baton Rouge, LA 70810, spoke in opposition to House Bill No. 618.

Representative McMakin offered a motion to report House Bill No. 618 with amendments, to which Representative Larvadain objected. The executive assistant called the roll, and House Bill No. 618 was reported with amendments by a vote of 10 yeas and 3 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, McMakin, Melerine, Tarver, and Wilder voted yea. Representatives Larvadain, Mena, and Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 15 in support and 50 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 618 pursuant to House Rule 14.33.

House Bill No. 703 by Representative Melerine

Representative Melerine offered a motion to voluntarily defer action on House Bill No. 703, which provides relative to controversion of benefits, preliminary determination hearings, disputed claims, and penalties and attorney fees. Without objection, action on House Bill No. 703 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Mena, Phelps, Tarver, and Wilder voted yea.

Prepared statements were received via email for House Bill No. 703 pursuant to House Rule 14.33.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Bamburg offered a motion to adjourn. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Crews, Bamburg, Dewitt, Echols, Glorioso, Horton, Larvadain, McMakin, Melerine, Mena, Phelps, Tarver, and Wilder voted yea.

The meeting was adjourned at 1:26 p.m.

Respectfully submitted,

Chairman Raymond J. Crews
House Committee on Labor and Industrial Relations

Date adopted: