

Insurance and Real Estate Committee

MEETING MINUTES

Thursday, January 14, 2021

11:00 AM in Zoom and YouTube Live

The meeting was called to order at 11:06 AM by Chairman, Sen. Lesser, M. S09.

The following committee members were present:

Senators: Anwar S. S03; Cabrera J. S17; Hwang T. S28; Lesser M. S09;
Maroney J. S14

Representatives: Comey R. 102; Dathan L. 142; Delnicki T. 014; Farrar K. 020;
Luxenberg G. 012; Meskers S. 150; Nuccio T. 053; Pavalock-
D'Amato C. 077; Perillo J. 113; Polletta J. 068; Riley E. 046;
Rochelle K. 104; Wood K. 029

Absent were:

Senators:

Representatives:

Sen. Lesser, M. S09 convened the meeting at 11:06 AM

Sen Lesser entertained a motion by Rep. Dathan, L. 142 and seconded by Rep. Wood, K. 029 to raise concepts 1-9.

Sen. Hwang, T. S28 asked for more background on the specific issues are included in the concepts. Sen. Hwang, T. S28 wanted to make sure that the information in the concepts was transparent to the public and requested the committee discuss the language of each item.

Sen. Lesser, M. S09 explained each of the nine concepts stating that at this time there was no bill language attached to the concepts.

Sen. Hwang, T. S28 thanked the chair for his explanation of the concepts.

Rep. Pavalock-D'Amato, C. 077 asked for a roll call vote and requested that the concepts be voted on separately rather than together. Rep. Pavalock-D'Amato, C. 077 asked if it was a point of order whether the committee was voting on concepts together, or if the motion was to vote on concepts individually.

Sen. Lesser, M. S09 reminded committee members that this meeting was a vote to raise concepts, which does not necessarily signal support of the concept later as a bill.

Rep. Pavalock-D'Amato, C. 077 made a motion to amend to vote on the bills separately and to do a consent calendar on most of the items.

Sen. Lesser, M. S09 asked if Rep. Dathan, L. 142 would like to remove her motion so that each concept could be voted on separately.

Rep. Dathan, L. 142 removed her motion.

Sen. Lesser, M. S09 entertained a motion to raise concept number one. The motion was moved by Rep. Dathan, L. 142 and seconded by Rep. Wood, K. 029.

Rep. Pavalock-D'Amato, C. 077 asked for a roll call vote for concept one.

Sen. Lesser, M. S09 asked the clerk to call the roll. The clerk reminded the committee that members had to show their face on the zoom and state their name to cast a vote.

The clerk called the vote: 17 Yea, 1 Nay

Motion Passed

Sen. Lesser, M. S09 remarked that members who have not voted have until the start of the house session or until all committee members have voted.

Sen. Lesser, M. S09 entertained a motion to raise concept two by Rep. Dathan, L. 142 and was seconded by Sen. Anwar, S. S03.

Sen. Lesser, M. S09 asked Rep. Pavalock-D'Amato, C. 077 if she would like to motion for certain items to be moved to a consent calendar.

Rep. Dathan, L. 142 removed her motion so that concept two could be added to the consent calendar.

Rep. Pavalock-D'Amato, C. 077 put forward a motion to move concept two to a consent calendar.

Sen. Lesser, M. S09 asked Rep. Pavalock-D'Amato, C. 077 if she had any other concepts moved to a consent calendar.

Rep. Pavalock-D'Amato, C. 077 made a list to move items 2,3,4,5,7, and 8 to a consent calendar.

Sen. Lesser, M. S09 did not object to the items being moved to a consent calendar.

Motion Passed

Rep. Dathan, L. 142 made a motion to raise item six and was seconded by Sen. Anwar, S. S03.

Sen. Lesser, M. S09 asked the clerk to call the roll.

The clerk called the vote: 17 Yea, 1 Nay

Motion Passed

Sen. Lesser, M. S09 entertained a motion to raise concept nine by Rep. Wood, K. 029s and seconded by Sen. Anwar, S. S03.

Rep. Pavalock-D'Amato, C. 077 discussed why she was voting no and wanted to flag the concept since she was not sure whether the concept fell under the committee's purview. She stated the other than that issue she is open to future discussion on the topic. Rep. Pavalock-D'Amato, C. 077 stated that the protection of constituents is always a forefront concern, and she looks forward to later discussions about the concept.

Sen. Lesser, M. S09 asked the clerk to call the roll.

The clerk called the vote: 17 Yea, 1 Nay

Motion Passed

[Proposed S.B. No. 89](#) AN ACT CONCERNING TRAVEL INSURANCE AND SUICIDE. (INS)

[Proposed H.B. No. 5013](#) AN ACT CONCERNING MANDATED HEALTH INSURANCE BENEFIT REVIEW. (INS)

Sen. Lesser, M. S09 entertained a motion to draft S.B. 89 and H.B. 5013 by Rep. Pavalock-D'Amato, C. 077 and seconded by Sen. Anwar, S. S03.

Sen. Hwang, T. S28 asked the committee chair to remind the committee of the distinction between the idea of voting to draft as a committee bill versus a bill that is reserved for subject matter public hearing.

Sen. Lesser, M. S09 discussed how voting to draft a bill moved it to the Legislative Commissioners Office where it would take on legislative language and become a bill. A bill reserved for subject matter does not require review by the Legislative Commissioners Office but allows the committee to have further public hearings on the topic.

Sen. Hwang, T. S28 thanked Sen. Lesser, M S09 for his explanation and thanked Rep. Pavalock-D'Amato, C. 077 for her thoroughness. Sen. Hwang, T. S28 clarified and reminded the committee that they were only voting to send bills to get drafted for a later public meeting at this time.

Sen. Lesser, M. S09 asked that all those in favor of drafting the proposed bills do so with a voice vote.

Motion Passed to draft proposed bills S.B. 89 and H.B. 5013

Sen. Lesser, M. S09 entertained a motion to reserve proposed S.B. 20 and proposed S.B. 33.

Rep. Pavalock-D'Amato, C. 077 motioned for the items to be voted on separately, and for a roll call vote to be made for both.

[Proposed S.B. No. 20](#) AN ACT PROHIBITING INSURERS FROM ACQUIRING ANY OWNERSHIP INTEREST IN MEDICAL PRACTICES. (INS)

Sen. Lesser asked if there was a motion to preserve S.B. 20 for a subject matter hearing.

Rep. Dathan, L. 142 motioned to vote on moving S.B. 20 to a subject matter hearing, motion seconded by Sen. Anwar, S. S03.

Sen. Lesser, M. S09 asked the clerk to call the roll.

The clerk called the vote: 18 Yea

Motion Passed

Sen. Lesser, M. S09 motioned that the committee vote on a consent calendar for concepts 2, 3, 4, 5, 7, and 8.

Rep. Pavalock-D'Amato, C. 077 reminded that committee that they still had to vote on S.B. 33.

Sen. Lesser, M. S09 responded that the committee would return to S.B. 33 after the committee finished voting on the consent calendar.

The clerk called the vote: 18 Yea

Motion Passed

[Proposed S.B. No. 33](#) AN ACT CONCERNING CONTRACTS BETWEEN HEALTH CARRIERS AND HEALTH CARE PROVIDERS. (INS)

Sen. Lesser, M. S09 entertained a motion from Rep. Dathan, L. 142 to vote on moving S.B. 33 to a subject matter hearing motion seconded by Rep. Wood, K. 029s.

Rep. Pavalock-D'Amato, C. 077 asked for an explanation of the content of S.B. 33 since the description of S.B. 33 is somewhat confusing.

Sen. Lesser, M. S09 asked Sen. Anwar, S. S03 if he could explain the bill since it was introduced by him.

Sen. Anwar, S. S03 explained how the bill would address the challenges between insurance and increasing deductibles, and how those deductibles are impacting the quality of care for patients and hurting all medical practices.

Rep. Pavalock-D'Amato, C.077 thanked Sen. Anwar, S. S03 for his explanation and that she will be voting in the affirmative to further the discussion.

Rep. Nuccio, T. 035 expressed worry over the bill's language and how this bill would affect existing plans and policies. Rep. Nuccio, T. 035 explained that the bill sounded like it would not have providers collect cost share and the insurance company would have to pay for what the insured could not cover. She stated that she will be voting to raise it but will be looking for more clarity in future meetings.

Sen. Hwang, T. S28 commented on how this might benefit one group of practice over another and how this bill would affect larger practices over the smaller practices. Sen. Hwang, T. S28 expressed concern that this bill might create extra work for smaller practices and hurt them long term.

Sen. Anwar, S. S03 clarified that this bill is supposed to save the companies that are suffering, namely smaller practices.

Rep. Nuccio, T. 035 expressed how the current discussion made this bill sound more like a contracting issue. Rep. Nuccio, T. 035 expressed concern over if the committee could bypass a contract that is already established, and if so, why not make the bill language about preemptive measures with insurance contracts.

Sen. Lesser, M. S09 commented that at this time the motion was to move S.B. 33 to a subject matter hearing where these questions could be better answered. Sen. Lesser, M. S09 mentioned that this bill was something contemplated by the high deductible task force last year.

Rep. Nuccio, T. 035 thanked the chair for his explanation and said she would look into the task force's findings

The clerk called the vote: 18 Yea

Sen. Lesser, M. S09 remarked that next week there would be no committee meetings but that the week after there would be committee meetings and possibly even a public meeting.

Motion to recess by Sen. Lesser, M. S09 until 4 PM

A motion was duly made and seconded to recess the meeting.

The meeting was recessed at 11:50 AM

The meeting was adjourned at 4:00 PM

Asst. Clerk Wade Jones

Administrator

Committee Clerk