MN House Commerce and Regulatory Reform Committee Committee Chair: Rep. Joe Hoppe (R-Chaska)

Rep. Greg Davids chairs this section of the committee during Chairman Hoppe’s presentation of his own bill, HF1394 (Hoppe)

KEY - Italics = paraphrased, parts

START - 07:15:00 – moved to pass HF 1394 (Hoppe) and send it to general register.

Rep. Joe Hoppe (R-Chaska) - There is one slight amendment, or addendum or change to what you said. Eventually we’re going to send it to the General Register. Rep. Atkins has an amendment that I like.

I just don’t know if it’s – we’re going to hear the bill. We’re going to lay it on the table today and we’ll act on the bill tomorrow during committee. It should be relatively quick. I just have to find out – I don’t want to put this amendment on having to do with exchanges and screw up any kind of global negotiations or anything else that’s being worked on, so, with that we’ll hear it. We can discuss it today and we won’t actually act on the bill until tomorrow.

Rep. Greg Davids (R-Preston) – Please present your bill Mr. Chairman.

Pender – DE1 amendment. Makes it identical to version on Senate floor.
Hoppe – Delete section 25 as oral amendment to DE1. Move A1 and A2 to DE1 amendment.
Schroeder (part of Dodd-Frank consumer protection act; reinsurance reform act) – A1 amendment

(14:57)

Davids – Now we have the A3 amendment. Mr. Chairman?

Hoppe – Welcome Mr. Chair. This is an amendment and Mr. Rikin [sp?] can correct me but I believe this is an amendment brought by the health plans that everybody seems to be OK with. We are striving for that elusive peace in the valley and there are people here that could speak to the amendment if members have questions on it.
Davids – is there anyone in the audience that wishes to testify with concerns on the A3 amendment?

Rep. Joe Atkins (D-Inver Grove Heights): Mr. Chairman, I don’t have concerns -

Davids: Chair Atkins, former chair Atkins.

Atkins: but I think for clarity, this one is actually my amendment.
Hoppe: yeah, Mr. Chair, we must have our numbers here confused. The A3 is the—um – Rep. Atkins amendment.

Davids: Well, I’m sorry, Rep. Atkins, to the A3 amendment. Would you like to move it?

Atkins: I would be happy to move it Mr. Chairman. My – and perhaps is ah – what we may want to do is – I think there might be some folks here that actually want to testify on the bill. Is that correct Mr. Chairman? The other Mr. Chairman?

Davids: Mr. Chairman.

Hoppe: My apologies for the confusion. Um, I think what we should do. Rep. Atkins if it’s OK with you and OK with you Mr. Chair and members, is adopt the DE1 amendment and let people come down and testify on the bill. I think there are people here that do want to speak. And then talk about the A3 amendment Representative Atkins, and then the plan is to lay the bill on the table and vote on it tomorrow.

(16:33)


Hoppe: Temporarily

[...]

(33:48)


Atkins: Thank you Mr. Chairman. I’ll move the A3 amendment.

Atkins: Thank you Mr. Chair and members. The - - This would establish a working group to set up an insurance - health - or health insurance exchange. And I know that that is a politically loaded issue at this point. It was part of President Obama’a health care package. And for some reason, that has caused great – anything related to that I understand is going to be a political volleyball. But this piece of it simply establishes a marketplace for competitive health care products that consumers can go shopping in and see apples to apples comparisons.

Whether you like President Obama and the federal government; whether you hate President Obama and the federal government, that’s not the point of this. I know lots of Republican folks. I know lots of Democrat folks that think that having a competitive health care exchange would be beneficial to the companies that sell those products and would be beneficial to consumers. This establishes a process by which to set that up.

As I - - Representative Gottwalt when he was here, he and I went back and forth a little bit. Not in a - - any sort of adverserial fashion. But the bottom line is that if we don’t do this ourselves, the federal law will do it to us. And what I’ve been hearing from folks that kind of know what they’re talking about is that it’s going to be some kind of potentially national health care system which I think would be really bad relative to what I think would be probably pretty good for us which is to do something in Minnesota crafted by Minnesotans that makes sense for Minnesotans and would be something of our own creation.

For folks on the other side of the aisle, if ah – you know the other thing is I suppose that the Governor might do it by executive order and I don’t think that that would be something – you know my team, my team over here might think it’s swell. Some of us might think it’s terrible. My guess is that the majority of the folks in the majority of the legislature would probably think it’s terrible. So all this does is start down a process that gives the Governor four appointees. It gives the Speaker two and the Senate Majority Leader two appointees. And then it gives the lead on the Commerce committee one appointee. And those folks would have to come to an agreement.

Sanders, are you the only one in the room that picked up on that? But if those folks were unable to come to an agreement, then and only then it would go to the Commissioner of Commerce to figure something out. That’s the proposal before you, and I’d appreciate your support.


Sanders – Ah Mr. Chair, um, I have an oral amendment.

Sanders: Um, Line 1.10, actually no I’m sorry, 1.11, you could strike DFL lead and insert Vice Chair. (Laughter erupts)

Davids: Rep. Sanders withdraws his amendment to the amendment. Discussion to the A3 amendment.

Atkins: Mr. Chair, I do have an oral amendment.


Atkins: After the word Senate on line 1.10, and I guess I could just incorporate this because I’m the author of the amendment, but starting with the word and, finishing with the word lead on line 1.11, deleting that language.

Davids: And so Rep. Atkins, on 1.10, you’d put a period after Senate and delete the rest of that line and delete line 1.11. To your amendment.

Atkins: That just. Then we don’t have to worry about Rep. Sanders amendment coming up. But the - - it gives equal representation to the Governor and Democrats, gives equal representation to the Senate Majority leader and the Speaker and hopefully they can arrive at some way to address the issue.

Davids: Discussion? Hearing none, all in favor say Aye.

Atkins: Mr. Chair, I just incorporated it.

Davids: Oh, you just incorporated that, so members that is incorporated where we put a period after the Senate, delete the rest of the line and then delete line 1.11.

Tom Pender: Mr. Chair.

Davids: Mr. Pender. Ah, Mr. Chair, we need to add a comma on line 1.9 after the word - - ah, before the word, after the, after the last comma in line 1.9.

Davids: OK, can you please state that again? Line 1.9

Pender: Line 1.9 after the second comma, insert and.

Davids: oh, and too. Rep. Atkins, will you incorporate that?

Atkins: Will do. Thank you.
Davids: OK. Discussion to the A3 amendment. Chair Hoppe.

Hoppe: Thank you Mr. Chair and members and Representative Atkins. I am sympathetic to this amendment. I think this is something that has been discussed a lot both inside and outside of the legislature this year. Um, I am not a supporter of the federal health care legislation. I think however this is something in my opinion that we should do ourselves rather than have done to us.

And I encourage anyone else that wants to think more deeply or speak about this to go ahead and do it. And one of the things we’re going to do is lay this bill over before we act on this amendment and vote on this tomorrow ‘cause I want to make sure, um, where the members of the committee are on this. I also want to make sure we’re not doing something that’s going to screw up any potential negotiations between the administration and House or Senate leadership.

Davids – OK, is there anyone in the audience that would wish to testify for or against the A - - the Atkins amendment, the A3 amendment? If not, I’ll go to questions from members. Rep. Anderson S?

Anderson, S – Thank you Mr. Chair. Rep. Adkins, you know I know when we had this conversation the last time around, Rep. Gottwalt at that time was looking at this issue over. He was very concerned about it. He has language himself that he has proposed. Have you followed back, had any conversations with him, recently within the last week here about this issue? Can you give us a little update on that at all?

Davids – Rep. Atkins?

Atkins – Thank you Mr. Chair. I thank you for the question Rep. Anderson. I actually invited him to talk with me if he was in need of any help and I haven’t heard anything further from him. So I - - but – it’s my understanding though from the people that follow this more closely than I – that the – it doesn’t seem to be making any progress and the concern now is that it probably won’t in that fashion so we’re looking for some other avenues to pursue. But it’s a good question. I should have mentioned it in the outset.

Davids: Rep. Anderson S.

Anderson, S: Thank you Mr. Chair and Rep. Atkins. I believe the last time that Rep. Gottwalt spoke to this issue, one of the issues that he brought up was the time that we have and that it doesn’t have to be done within this legislative session, within this year. And I, you know, I share your concerns on this matter, as much as Rep. Hoppe outlined too.
And so I’m just curious, you know. I think that would be helpful for us to have a conversation with Rep. Gottwalt. And then I also wanted to know, if we put this amendment on, does this mean that this bill has to go to the Health and Human Services Reform committee? And how does that play in with the committee deadlines that we have in place? Have you thought about that at all, Rep. Atkins?


Atkins: Mr. Chair. Rep. Anderson. I think that’s good concerns to have. I would make a point - - I ah agree by the way with the Chairman’s desire to lay the bill over for a day. So that, you know this is the kind of thing, it’s kind of a big deal. And I’d suggest we invite Rep. Gottwalt to join us if he’d like to. Obviously he’s got some expertise relative to what - - that I think would be helpful. If he then wants to call the bill to some committee, or any other chair wants to call it to a committee, I think that that would be a wise thing to do. He did testify, you’re correct, about the fact that it um, we don’t, I think he said we don’t need to do it this year.

My concern in pushing it harder this year is if we think this is a political volleyball right now, and a and a hard vote and that we get - - um - - and by the way, I have conservative people who live in my district too that don’t like federal health care. And liberals that don’t like federal health care plan. So I hear from them as well. If we think it’s a hard one to take a vote on this year, imagine what it’s going to be like next year. And my guess is that it won’t make progress next year and then we’re gonna be stuck with whatever the feds decide to do to us. And I don’t think that that’s going to be as appealing as something that we would draft on our own.

Davids – Representative Anderson S.

Anderson, Sarah (R-Plymouth) – Thank you Mr. Chair and Rep. Atkins. I guess I don’t see it necessarily as a political football. This is definitely a fit – a fix that I would like to see happen, and I’m not concerned about that piece. But I am concerned about jeopardizing the other language that we have in this legislation by causing this bill then to go to Health and Human Services Reform committee past the second policy deadline and I guess you know, it would be helpful to know. I think that we would basically killing the bill essentially if that’s tacked on there, but – I’ll just leave it at that Mr. Chair.


Hoppe – Well thank you Mr. Chair and Rep. Anderson. And that is one of the things I want to talk to Rep. Gottwalt. I want to talk to people who know more about how bills move and if we would, if this does go on, if we have to send it there.
I’m sympathetic to this personally. I think it is something that we need to address and we should address. I just don’t know that this is the right vehicle or the right time for it. So those are the things that I want to check between now and 24 hours from now.

**Davids** – Thank you Mr. Hoppe. Mr. Pender, this amendment. I’m on 1.6 (unintelligible) talk about health insurance exchange. Is this indemnity plans, or does this include everything from HMOs to ERISA plans to everything. Where I’m going with this is if it’s just indemnity health insurance it shouldn’t have to go to the health committee because the commerce department oversees that. Or does the proposed health insurance exchange include everything?

**Tom Pender** (legislative researcher) – Mr. Chair, the health insurance exchange includes all insured coverage so it would include indemnity. It would include HMOs. It would include Blue Cross - - Blue Cross Blue Shield and so on.

**Davids** – Thank you Mr. Pender. Is there any further discussion from members otherwise we’ll be laying the House File 1394 over until tomorrow as amended. House File 1394 as amended is laid over.

**Hoppe (?)** – Thank you Mr. Chair and members.

(End 45:35)