



2024

capitol watch

Crossover On The Horizon

A new senator was sworn into office this week. After the departure of former Majority Leader Mike Dugan , a special election was held, with former Representative Tim Bearden winning the seat. Heading into the 2024 election cycle, more departures were announced this week including Representative Penny Houston, a longtime veteran of the House as well as Representative J. Collins, Representative Jodi Lott, and Representative Roger Bruce.

Amongst this week's major activity was the unveiling of the Senate Appropriations Committee's version of [HB 915](#), the State's Amended FY24 spending plan. The budget is a \$37.5 billion document and funds many large projects and infrastructure items.

Department of Behavioral Health and Developmental Disabilities

- Adult Forensic Services
 - The Senate eliminated the House funding of \$664,462 for an additional 30-bed jail-based competency restoration program pilot. It said to consider funding for an additional 30-bed jail-based competency restoration program pilot in the FY2025 General Budget.
- Adult Mental Health Services
 - The Senate reduced the House's additional \$2 million in funds to \$500,000 for a pilot to implement transportation alternatives for individuals experiencing a mental health crisis.
 - The Senate added \$450,000 in funds to support mental health community wellness and outreach programs
- Child and Adolescent Mental Health Services
 - The Senate increased funding to \$13 million to construct the Gateway Child and Adolescent Crisis Stabilization Unit in Savannah.
- Direct Care Support Services

- The Senate decreased the governor and House's funding agreement to \$46 million to address Regional State Hospitals' urgent and significant capital needs, according to the 2023 Georgia State Financing and Investment Commission (GSFIC) campus survey.

Department of Community Health

- Healthcare Access and Improvement
 - The Senate doubled the funds to \$296,500 to address housing needs for AHECs.
 - The Senate doubled the funding to \$100,000 for Lupus research, data collection, awareness, and education.
 - The Senate eliminated the House's addition of \$250,000 for funding for one federally qualified health center start-up grant in Cobb County and instead added to consider the inclusion of one federally qualified health center start-up grant in Cobb County in the FY2025 General Budget.
 - The Senate added \$2 million in funds for one-time grants up to \$1,000,000 to develop Programs of All-Inclusive Care (PACE) to provide home and community-based services.
- Medicaid Aged, Blind, and Disabled
 - The Senate added more than \$2.1 million in funds to increase reimbursement rates for speech-language pathology, audiology, physical therapy, and occupational therapy providers.
- Low-Income Medicaid
 - The Senate added \$2.19 million in funds to increase reimbursement rates for speech-language pathology, audiology, physical therapy, and occupational therapy providers.
- Healthcare Workforce - Board Administration
 - The Senate did not agree to \$200,000 with the House but instructed to utilize existing funds (\$100,000) for statewide healthcare specialty assessments to evaluate gaps in healthcare services

Department of Insurance

- Reinsurance
 - The governor, House, and Senate agreed to fund the state reinsurance program and implement the state-based exchange for healthcare insurance with \$134 million and \$16.39 million, respectively.

The 2024 Legislative Session will reconvene at 10:00am Monday, February 26th, 2024

Senate Floor Action

SB 427 - Sen. Blake Tillery

Pharmaceutical and Legal Disclosures - Seeks to provide for disclosure requirements for advertisements for legal services and for drugs. An amendment was made and accepted to remove lines 39-42 to clarify the drug portion that follows federal guidelines. This legislation passed the Senate floor, 43-8.

House Floor Action

HB 1072 - Rep. Sharon Cooper

Drug Repository - Seeks to provide for pharmacist to pharmacy technician ratios in the program, require reverse drug distributors to make and document diligent efforts to donate drugs rather than destroy them and provide for substitution of drugs in some instances. This legislation passed the House floor, 165-1. It has been assigned to the Senate Health and Human Services committee where it awaits further consideration.

HB 1077 - Rep. Sharon Cooper

Mental Health Workforce - Seeks to create a grant program to provide funding to eligible institutions for additional behavioral health workforce training positions and to create a behavioral health provider loan repayment program. This legislation passed the House floor, 165-2. It has been assigned to the Senate Regulated Industries committee where it awaits further consideration.

HB 1114- Rep. Will Wade

Data Analysis for Tort Reform Act - Seeks to provide for data collection from certain insurers, insurance rating organizations, and state agencies. This legislation passed the House floor, 132-32.

HB 1170 - Rep. Lee Hawkins

Government Buildings Accessing Opioid Antagonists - Seeks to require that certain state government buildings, courthouses, and university buildings maintain and make accessible opioid antagonists. This legislation passed the House floor, 166-1.

New Notable Legislation

House

HB 1301 - Rep. Karen Mathiak

Duchenne Muscular Dystrophy - Seeks to amend Georgia's law on newborn screening in order to add Duchenne Muscular Dystrophy to the current listing of diseases.

HB 1326 - Rep. Ron Stephens

Dangerous Drug Clean Up - Seeks to provide for certain provisions relating to Schedule I controlled substances, Schedule III controlled substances, and Schedule IV controlled substances.

HB 1340 - Rep. Scott Hilton

Credentialing of Qualified Behavioral Health Analysts - Seeks to provide for credentialing of qualified behavior analysts and qualified autism services practitioner-supervisors.

HB 1363 - Rep. Karen Mathiak

PBM Transparency - Seeks to require that drugs dispensed to a covered person for self-administration under a state health plan be reimbursed using a transparent, index based price, plus a dispensing fee.

HB 1371 - Rep. James Burchett

Tort Criminal Liability - Seeks to provide for legislative findings, to clarify liability regarding third-party criminal activity regarding liability of owners and occupiers of land.

Senate Science and Technology Committee

SB 473 - Sen. John Albers

Georgia Consumer Privacy Protection Act - Seeks to enact the "Georgia Consumer Privacy Protection Act"; to protect the privacy of consumer personal data in this state. This legislation is set to be heard on the Senate floor on Monday, February 26th.

Senate Regulated Industries and Utilities Committee

SB 336 - Sen. Kay Kirkpatrick, MD

Behavioral Health Coordinating Council Designees - Seeks to amend Titles 37, 39, and 49. This measure allows designees to be assigned to the Behavioral Health Coordinating Council. It also repeals two reports from DBHDD. The measure authorizes the Board of Professional Counselors, Social Workers, and Marriage & Family Therapists the ability to waive experience requirements for those coming from states with similar experience requirements. An amendment to include a designee for the Commissioner of Veteran Services was approved. This legislation received a Do Pass and moved onto the Senate Rules committee.

SB 505 - Sen. Blake Tillery

Hospital Transparency - Seeks to revise provisions relating to required publication by hospital of certain financial documents on its website. The measure requires the Department to create templates and criteria for reporting by December 31, 2024 and requires hospitals to use these templates by July 1, 2025. Noncompliance would suspend the hospitals' ability to receive state funds with a 30-day letter from the department. The measure adds to the Department a Uniform Resource Locator, which the hospital must send the link for where these documents are posted. This legislation received a Do Pass and moved on to the Senate Rules committee.

SB 529 - Sen. Kim Jackson

Foreign Medical Graduates - Seeks to provide for certain licensure for qualifying foreign medical graduates and to provide for a nonrenewable limited provisional license under certain conditions. This legislation received a hearing only.

Senate Health and Human Service Committee

SB 419 - Sen. Larry Walker

CRNA Independent Practice - Seeks to amend Title 43 to expand a nurse anesthetist's scope of practice. The measure seeks to allow certified nurse anesthetists to administer anesthesia under certain conditions. A Do Pass motion was made but failed on a tie breaker vote by Chairman Ben Watson of 7-6. The measure remains in the Senate Health and Human Services Committee.

SB 460 - Sen. Clint Dixon

APRN/PA Supervision - Seeks to revise provisions relating to the number of advanced practice registered nurses and physician assistants that a physician can authorize and supervise at any one time from 4 to 8. This legislation received a Do Pass and moved on to the Senate Rules committee.

SB 480 - Sen. Mike Hodges

Mental Health Workforce - Seeks to provide for student loan repayment for mental health and substance use professionals serving in certain capacities. The Board for Physician Workforce will create the rules and regulations. The measure is contingent on appropriations. This legislation received a Do Pass and moved on to the Senate Rules committee.

SB 495 - Sen. Sam Watson

Low THC Update - to provide for the term of validity of a registration card and to provide for delivery of registration cards. This legislation received a Do Pass and moved on to the Senate Rules committee.

Senate Economic Development Committee

SR 538 - Sen. Carden Summers

Sports Betting - Seeks to allow Sports Betting and casino gambling in Georgia by July 2, 2025 via a constitutional amendment. In the new substitute, line 45 is changed from 9 to 5 casinos. Another change is at lines 106-130, so 50 percent of revenue is to capital highway infrastructure projects, 20% for rural health, 20% to mental health, and 10% to historic black colleges. This resolution was held for further consideration.

House Governmental Affairs Committee

HB 1113 - Rep. Matt Reeves

Personal Privacy Protection Act - Seeks to prohibit state agencies from disclosing certain information but does not interfere with law enforcement or political disclosures. Additionally, nonprofits are protected by this legislation. This legislation received a Do Pass and moved on to the House Rules committee.

House Education Committee

HB 822 - Rep. Kasey Carpenter

HIV in Sex Education - Seeks to amend Title 20 to provide that the prescribed course of study in sex education and HIV prevention instruction is age-appropriate and medically accurate. It also requires that such courses include instruction on consent. This legislation received a Do Pass and moved onto the House Rules committee.

House Public Health Committee

HB 1030 - Rep. Clint Crowe

Safe Place for Newborns - Seeks to codify what a newborn safety device is and defines ambulance services. A parent can leave a newborn no more than 30 days old with staff at a licensed ambulance service, fire station, medical facility, police station, or in a newborn safety device. The measure allows for these devices to be installed at medical facilities, police stations, fire stations, and ambulance service locations. This legislation received a hearing only.

HB 1028 - Rep. John LaHood

Department of Public Health Cleanup - Seeks to to repeal the requirement of screening of public school children for scoliosis, to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to revise the state health officer's authorization to issue standing orders, to repeal provisions relating to the Georgia Diabetes Control Grant Program, to repeal provisions relating to a pilot program for preexposure prophylaxis drug assistance or services; to repeal provisions relating to control of mass gatherings. This legislation received a Do Pass and moved onto the House Rules committee.

HB 1170 - Rep. Lee Hawkins

Government Buildings Accessing Opioid Antagonists - Seeks to require that certain state government buildings, courthouses, and university buildings maintain and make accessible opioid antagonists. This legislation received a Do Pass and moved onto the House Rules committee.

HB 1081 - Rep. Darlene Taylor

Prenatal Biomarker Testing - Seeks to provide for mandatory preeclampsia biomarker testing for pregnant women if they are admitted and at the physician's discretion after the 23 week period. This legislation received a Do Pass and moved onto the House Rules committee.

House Regulated Industries Committee

HB 1050 - Rep. Karen Mathiak

Licensing Provisions for Professional Counselors - Seeks to change licensing provisions relative to professional counselors, social workers, and marriage and family therapists. This legislation received a Do Pass and moved on to the House Rules committee.

HB 1175 - Rep. Chas Cannon

Physical Therapy Direct Access - Seeks to remove the requirement for physical therapists to receive a referral from the patient's provider to continue treatment after 21 days or 8 visits. Chair Powell heard from the sponsor, the lobbyist for the PT association and a PT. No public testimony was taken. Dr. Chris Walsh (Resurgens, MAG member and GOS member) attended the hearing and was in fact signed up to testify. This legislation received a Do Pass and moved onto the House Rules committee.

House Health Committee

HB 441 - Rep. Katie Dempsey

Teledentistry - Seeks to authorize and regulate teledentistry in this state by licensed dentists pursuant to permits issued by the Georgia Board of Dentistry. This legislation was tabled in committee for further review. This legislation received a Do Pass and moved onto the House Rules committee.

HB 1046 - Rep. David Clark

APRN/PA Prescribing - Seeks to authorize advanced practice registered nurses and physician assistants to order home healthcare services. This legislation received a hearing only.

HB 1264 - Ron Stephens

Provider Wellness Program - to authorize the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists to establish a professional health program to provide for monitoring and rehabilitation of impaired healthcare professionals. This legislation received a Do Pass and moved on to the House Rules committee.

HB 1339 - Rep. Butch Parrish

Certificate of Need Rollback - Seeks to amend Title 31 relating to the State's Certificate of Need Law. Rep. Parrish noted this bill was driven by the House CON study committee report findings.

- Eliminates the capital and equipment expenditure thresholds
- DCH shall update the state health plan at least every five years, streamlines the application process
- Increases the length of time that a closed facility can be purchased and reopened as a micro-hospital from 12 months to 24 months

- Expands the CON exemption to allow existing hospitals to increase bed capacity by greater than ten beds or 20% every three years if the facility has maintained at least a 60% occupancy rate for the previous 12 months
- Revises the existing CON exemptions for single-specialty and joint venture ASCs to remove the capital expenditure cap
- Expands the CON exemption to allow healthcare facilities in urban counties to relocate within five miles of the existing facility
- Creates four new CON exemptions: OBGYN services, acute care facilities in rural settings (provided meeting certain metrics), and behavioral health/psychiatric services
- Increases the cap for the Rural Hospital Tax Credit from \$75 million to \$100 million and extends the sunset of the program to 2029
- Creates the Comprehensive Health Coverage Commission, which must submit a report by December 2024 and is set to be abolished by December 2026

This legislation received a hearing only and is set to be voted on Monday, February 26th.

House Insurance Committee

HB 451 - Rep. Devan Seabaugh

First Responder Occupational PTSD - Seeks to require the provision of supplemental, illness-specific insurance to certain first responders diagnosed with occupational post-traumatic stress disorder. The new version addresses a definition for diagnostician (eliminating APRN and Physician's Assistant); a decreased benefit (lowering the amount from \$10,000 to \$3,000 lifetime benefit after diagnosis); and a requirement that the Department of Insurance to provide an annual report on the benefit activity so that changes may be made in the future. This legislation received a Do Pass and moved onto the House Rules committee.

House Judiciary Committee

HB 1244 - Rep. Todd Jones

Intellectual Property Protection Act - Seeks to provide for the establishment of dispute financing provisions. After much discussion, the motion failed on a Do Not Pass and moved on to the House Rules committee.



For legislative highlights and review, watch ***Lawmakers***, which airs on **Georgia Public Broadcasting** at **7PM** every night the Georgia General Assembly is in session.

We will be sending out legislative updates regularly throughout the 2024 session, so keep an eye on your inbox to stay updated on all of the happenings from under the Gold Dome.

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