



## Legislative Session Update - Legislative Day 11

**The House and Senate gavelled in on Tuesday this past week. Committee hearings and legislation made for a busy first full week of the legislative session.**

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### Under the Gold Dome This Week

#### **Certificate of Need Reform Bills Introduced**

On Thursday, certificate of need (CON) reform measures were introduced. Bills that would exempt “integrated surgery centers” from the state’s CON requirements were introduced by Rep. Chuck Martin (R-Alpharetta) and Sen. John Albers (R-Roswell) – [HB 89](#) and [SB 61](#). Bills that would replace the existing CON requirements (except for long-term care facilities) were introduced with a licensing program and that would increase transparency and bigger tax credits for rural hospitals – [HB 198](#) by Rep. Matt Hatchett (R-Dublin) and [SB 74](#) by Sen. Matt Brass (R-Newnan). The House bills were referred to the House Special Committee on Access to Quality Health Care, while the Senate bills were referred to the Senate Regulated Industries and Utilities Committee.

#### **Out of Network Billing**

Out of Network Billing legislation was introduced by Sen. Chuck Hufstetler (R-Rome) and assigned to Senate Insurance. This bill is nearly identical to last years OON legislation. Legislation within the bill will result in greater transparency for elective procedures, establish a patient/physician arbitration process for “unexpected events” that take place during elective medical procedures, and establish a standard physician payment model for out-of-network emergency care.

#### **Step Therapy**

Rep. Sharon Cooper (R-Marietta) introduced [HB 63](#) – legislation to reform the insurance practice known as step therapy, which forces patients to try and fail on medications other than what their health care provider prescribes – and in some cases, happens even when

patients have already tried the insurer-preferred medications or when those medications could cause their health to deteriorate.

House Bill 63 only limits step therapy and fail first protocols in certain critical situations, while still allowing insurers to use step therapy when it is appropriate for a patient's health. The legislation also creates a basic framework for when it is medically appropriate to exempt patients from step therapy protocols and establishes a transparent process for health care providers to request exceptions.

Currently, the bill sits in House Insurance and is expecting a hearing next week. Kaiser Permanente is seeking changes to the bill but Rep. Cooper has indicated she will not accept the changes.

### **Amended 2019 Fiscal Year Budget**

The House passed the Amended 2019 Budget, HB 30, on Friday, the "little budget" now heads to the Senate for action. The House will now turn its focus to the 2020 Fiscal Year Budget, the nearly \$40 billion budget will take some time to move through the process.

Current budget documents:

**Office of Planning & Budget**  
**<https://opb.georgia.gov/budget-documents>**

**HOUSE**  
**<http://www.house.ga.gov/budget/en-US/budgetdocuments.aspx>**

**SENATE**  
**<http://www.senate.ga.gov/sbeo/en-US/AppropriationsDocuments.aspx>**

Behavioral Health Funding - There was no change to the \$8,400,000 APEX funding. There is a reduction of funds Under Child and Adolescent Mental Health Services of \$640,526 " recognize one time savings due to delayed implementation dates."

### **Behavioral Health & Developmental Disability**

**HB 178** sponsored by Rep. Don Hogan was assigned to the House Committee on Health and Human Services. This bill creates a unit within the Department of Behavioral Health and Developmental Disabilities to provide for assisted outpatient treatment programs and an advisory council.

### **State Health Benefit Plan Bariatric Surgery Pilot Renewal & Expansion**

**HB 187** sponsored by Rep. Katie Dempsey renews and expands the pilot for a bariatric surgery benefit to a four year pilot allowing for 250 plan participants per year. The bill was assigned to House Health & Service Committee on Friday.

### **DXM & Minors**

**HB 112**, sponsored by Rep. John LaHood, requires identification by minors for drug products containing dextromethorphan was assigned to the House Juvenile Justice Committee.

### **Interstate Licensure Compacts**

[SB 16](#) - Physician Interstate Compact passed the Senate Health Committee  
[HB 39](#) - Physical Therapy Interstate Compact - no action  
[HB 26](#) - Psychology Interstate Compact passed the House Interstate Cooperation

**For our complete legislative tracking sheet [click here](#).**

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## House Health & Human Services Committee

On Tuesday afternoon, the House Health & Human Services Committee met for an organizational meeting. Chairman Sharon Cooper presented her own [HB 62](#) dealing with mammograms reporting to patients with dense breast tissue.

The committee also heard a presentation from the Community Service Boards. You can see the presentation [here](#).

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## Looking Ahead

Much action is expected on CON, Medicaid Waivers and Insurance Reform measure over the next two weeks. No action yet on the PDMP, opioids or scope of practice issues.

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## Legislative Calendar

The legislators set the adjournment resolution through the end of the session. Crossover Day is Thursday, March 7th (Legislative Day 28) and Sine Die is Tuesday, April 2nd (Legislative Day 40).

Legislators will be in session next week Monday through Friday.

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For legislative highlights and review, watch [Lawmakers](#), which airs at 7 PM on GPB every day the General Assembly is in session.



You can also watch a live stream of each legislative day's proceedings on the General Assembly website. Go to [www.legis.state.ga.us](http://www.legis.state.ga.us) and click the *Live Broadcast* link on the left.

