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Sent: Saturday, February 20, 2021 9:36 PM
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Subject: Georgia Legislative Session Update - Legislative Day 19



Legislative Day 19

As the days at the Capitol are growing longer we are making strides towards Crossover Day. However, this has not halted lawmakers continuing to fill the hoppers with new legislation.

As COVID still remains a major issue, legislators are setting their calendar on roughly a week-to-week basis.

- ~~Tuesday, February 9th – Legislative Day 14~~
- ~~Wednesday, February 10th – Legislative Day 15~~
- ~~Thursday, February 11th – Legislative Day 16~~
- ~~Tuesday, February 16th – Legislative Day 17~~
- ~~Wednesday, February 17th – Legislative Day 18~~
- ~~Thursday, February 18th – Legislative Day 19~~
- Monday, February 22nd - Legislative Day 20
- Tuesday, February 23rd - Legislative Day 21
- Wednesday, February 24th - Legislative Day 22
- Thursday, February 25th - Legislative Day 23
- Friday, February 26th - Legislative Day 24
- Monday, March 1st - Legislative Day 25

Senate Floor Update

SB 46, by Sen. Dean Burke, seeks to amend language within the Department of Public Health authorizing certain medical personnel to administer **vaccines during public health emergencies** and certain provisions relating to the administration of vaccines under vaccine protocol agreements. Additionally, language pertaining to mass vaccination sites are able to waive the requirement of checking the state's GRITS system during a public health emergency.

On the Senate Floor, Amendment 1 to SB 46 was introduced. The amendment would clarify that vaccine information may be provided without consent, would specify that it is only during a declared public health emergency, and clarify that the third parties must adhere to state and federal privacy laws. This legislation passed the Senate Floor with a favorable vote of 47-3.

Senate Insurance and Labor Committee

- **SB 82**, by Sen. Michelle Au, deemed **Prudent Lay Person** Legislation, proposes a measure requiring insurers to pay for emergency services, regardless of the final diagnosis of the patient. Dr. Chip Pettigrew, ER Physician submitted written testimony in support. The legislation received a Do Pass recommendation where it will move to the Senate Rules Committee.

Senate Judiciary Subcommittee

- **SB 92**, by Sen. Randy Robertson, seeks to **prohibit the sale to and by minors of drug products containing dextromethorphan**. Additionally instituting penalties for those products sold to minors without proper identification. The committee had no questions and reported favorably to move on to the full committee.

House Appropriations - Human Resources Subcommittee

Rep. Katie Dempsey held a hearing early in the week on specifics regarding the FY 2022 Budget need. Particularly in the areas of the Departments of Behavioral Health and Developmental Disabilities, Human Resources (including Division of Family and Children's Services), Veterans Services, Georgia Council on Developmental Disabilities and Georgia Vocational Rehabilitation Agency.

You can see the full tracking document for **HB 81**, the proposed spending plan for FY 2022 by [clicking here](#).

The Subcommittee heard presentations from the Departments and agencies, but the real discussions were the testimonies provided by the public. A few highlights of the agencies presentations included:

- Continued enhancement of crisis services (including the new 988 call line for suicide)

- Ongoing ADA settlement
- Multi-year plan to address intellectual and developmental disabilities planning list
- Investment in community behavioral health — core outpatient funds
- Addictive diseases capacity
- Forensic services improvement and
- Workforce retention of direct care staff.

House Health and Human Services Committee Update

- **HB 307**, by Rep. Sharon Cooper seeks to **amend the Georgia Telehealth Act in Title 33 to authorize health care providers to provide telemedicine services from home and patients to receive telemedicine services from their home, workplace, or school.** The bill also provides that no insurer may require a deductible or an in-person consultation before providing coverage for telemedicine services. Additionally, the bill institutes restrictions on utilization review and requires insurers to allow open access to telehealth and telemedicine services, including the provision of prescription medications. This bill received a Do Pass and moved on to the Rules Committee.

***Although the door is open for telehealth under Governor Kemp throughout the pandemic, the provisions are temporary. You can find more information on Telehealth by [clicking here](#)

- **HR 52**, by Rep. Katie Dempsey seeks to create the **Joint Study Committee on Childhood Lead Exposure.** The resolution received a Do Pass and moved on to the Rules Committee.
- **SB 5**, by Sen. Kay Kirkpatrick seeks to update code pertaining to sedation in non-hospital settings. The bill **directs the Georgia Composite Medical Board to establish rules regarding the use of sedation in “office based surgeries,”** which are defined as “any surgery or invasive medical procedure requiring sedation, when performed in a location other than a hospital, hospital associated surgical center, or an ambulatory surgical facility, including, but not limited to, physicians' offices and medispas.” The bill received a Do Pass and moved on to the Rules Committee.

House Judiciary Non-Civil Committee

- **HB 367**, by Rep. Butch Parrish seeks to make an **annual update to the state's dangerous drug scheduling list.** This bill received a Do Pass and moves on to the House Rules Committee.

House Public Safety and Homeland Security Subcommittee

- **HB 247**, by Rep. John Carson **seeks to remove the first offender leniency from Georgia's hands free driving law.** Rep. Carson explained the bill to the committee. The provision that is being removed has passed in other states further explaining that the leniency presents problems due to communication issues across jurisdictions. This bill received a Do Pass and moves on to the full committee.

New House Legislation

- **HB 413**, by Rep. Beth Camp seeks to stipulate that **the state cannot require the receipt of a COVID-19 vaccine as a condition for employment, school attendance, professional licensure, educational certification or degree, admittance to any place of business or entertainment, or access to any mode of transportation.** This prohibition occurs under the absence of a specific list of situations including a none emergency use authorization for the vaccine and long term health effect evaluations have been completed. The bill also allows individuals to submit in writing that receiving a vaccine conflicts with their philosophical beliefs which exempts them from any requirement if all other aspects of the bill have already been met. This bill has been assigned to the House Health and Human Services Committee.
- **HB 458**, by Rep. Sharon Cooper seeks to **require sexual misconduct training for members of the Georgia Composite Medical Board.** The bill also requires continuing medical education credits include ongoing education and training on professional boundaries and physician sexual misconduct. This bill has been assigned to the House Health and Human Services Committee.
- **HB 468**, by Rep. Kasey Carpenter seeks to **allow any and all business to continue operating during a public health emergency** if it conforms to the health and safety measures contained in any Executive Order from the Governor. This bill has been assigned to the House Judiciary Committee.
- **HB 474**, by Rep. Sharon Cooper seeks to **require concurrent opioid antagonist prescriptions for all opioid prescriptions.** This bill has been assigned to the House Health and Human Services Committee.
- **HB 479**, by Rep. Bert Reeves seeks to amend multiple Titles to **alter the state's citizen arrest laws.** The bill still allows off-duty law enforcement officers to detain and arrest individuals within their jurisdiction of employment or when aiding another officer. The bill specifically prohibits private citizens from using force that could cause bodily harm to detain another citizen. This bill has been assigned to the House Judiciary Committee.
- **HB 539**, by Rep. Sharon Cooper seeks to **update the "Medical Practice Act"** by defining 'institution' to mean a hospital licensed by the Department of Community Health, a board approved medical school, a teaching hospital in this state, or a clinic in this state that services predominantly Medicaid, indigent, and underserved populations.
- **HB 567**, by Rep. Sharon Cooper seeks to create the **Newborn Screening and Advisory Committee.**
- **HB 569**, by Rep. Matthew Wilson seeks to **prohibit the practice of conversion therapy by professional counselors, physicians, or psychologists** and to specifically define "conversion therapy."

New House Resolutions

- **HR 188**, by Rep. Kim Schofield seeks to create the **House Study State Workgroup to Increase Chronic Disease Information and Screenings in Communities of Color.** This resolution has been assigned to the House Health and Human Services Committee.

New Senate Legislation

- **SB 181**, by Sen. Jen Jordan, **seeks to require that no health insurer that provides coverage for prescription insulin to charge more than \$50 per 30 day supply as a cost sharing amount.** This bill was referred to the Senate Health and Human Services Committee.

New Senate Legislation (Tort)

- **SB 160**, by Sen. Bill Cowsert, seeks to **stipulate that the tolling of tort actions while criminal prosecution is pending only applies to felony offenses.** This bill has been assigned to the Senate Judiciary Committee.
- **SB 166**, by Sen. Bill Cowsert, seeks to **stipulate that a relationship with an insurance company that may have a financial interest in the outcome of the case is grounds for disqualification of a juror.** Jurors must fill out a questionnaire that identifies their current employers and insurance companies. This bill has been assigned to the Senate Insurance and Labor Committee.
- **SB 189**, by Sen. Bill Cowsert, **seeks to provide courts with the ability to make bifurcation decisions for issues of liability and damage.** This bill has been assigned to the Senate Judiciary Committee.
- **SB 190**, by Sen. Bill Cowsert, seeks to **limit recovery of damages for medical and health care expenses to amounts equaling the amount paid to healthcare providers on behalf of a claimant and necessary to satisfy incurred but unpaid medical expenses.** This bill has been assigned to the Senate Judiciary Committee.

New Senate Resolutions

- **SR 127**, by Sen. Michelle Au, Recognizes and commends workers of the Department of Public Health for their service and diligence through the pandemic.

To find any bill, go to www.legis.ga.gov and use the search box at the top left of the page. There is also an advanced search option that allows you to find bills by keyword or sponsor.

Contact Your Legislators

It makes a difference if you contact your Representatives and Senators early in the session.

Discuss the issues that are important to your practice, your patients, and your community.

If you have personal relationships with any state elected officials, please help us by making us aware of these crucial relationships. If you need assistance finding your legislator, please click the link below.

[Find My Legislator](#)



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

More information: Please reach out to our office at 770.435.5586 or reach out to us personally via our cell phones.

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