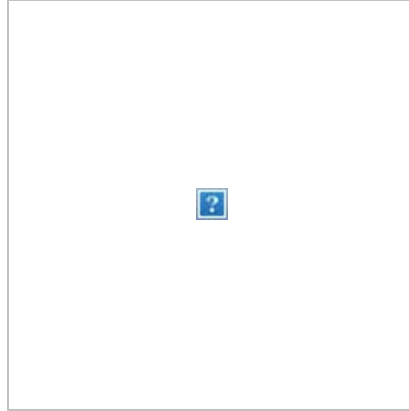


**From:** [Devin Krecl](#)  
**To:** [Robyn Garrett](#); [Jesse Hambrick](#)  
**Cc:** [Travis Lindley](#); [Cathalene Teahan](#)  
**Subject:** 2023 Georgia Legislative Session - Legislative Day 20  
**Date:** Friday, February 17, 2023 8:58:13 PM

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## Under the Gold Dome

*Legislative Day 20*

### Officially Halfway There

While the 2023 Legislative Session has had a relatively easy first half, the remainder promises to be brutal with long floor days and extended committee hearings. The madness began on Thursday with the two chambers deciding to separate their schedules. While the Senate convened at the usual 10am, the House held committee meetings during the morning hours. The House convened shortly after 1pm when Senate committees got underway with their work. We understand the new schedule on Thursday's for the House members may be geared towards keeping members in attendance at committee hearings rather than departing for their districts after their floor session.

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#### Floor Action

The House took up and passed the following notable measures on the floor this week:

**HB 76 - Rep. Alan Powell**

**Licensed Marriage and Family Therapists Training** - Seeks to revise provisions relating to education, experience, and training requirements for licensure in marriage and family therapy. This legislation moves on to the Senate.

**HB 85 - Rep. Sharon Cooper**

**Biomarker Testing Coverage** - Seeks to require health benefit policy coverage for biomarker testing if supported by medical and scientific evidence. This legislation moves on to the Senate.

**HB 143 - Rep. Danny Mathis**

**Continuous Glucose Monitors for Medicaid Recipients** - Seeks to require the Department of Community Health to include continuous glucose monitors as a pharmacy benefit for Medicaid recipients. This legislation moves on to the Senate.

**HB 215 - Rep. Alan Powell**

**APRN Affidavit Execution**- Seeks to authorize advanced practice registered nurses and physician assistants to execute affidavits certifying an individual is disabled for purposes of obtaining special vehicle decals for persons with disabilities. This legislation moves on to the Senate.

The Senate took up and passed the following notable measures on the floor this week:

**SB 27 - Sen. Matt Brass**

**Unfair Trade Practices** - Seeks to prohibit a health care insurer from requiring an ophthalmologist or optometrist to extend any discounts on services that are not covered eye care services in order to receive increased payments, better reimbursements, preferential treatment, or any other benefit. This legislation moves on to the House.

**SB 47 - Sen. Chuck Hufstetler**

**Vaping Prohibitions** - Seeks to include vaping in the prohibitions under the Georgia Smokefree Air Act of 2005. The bill prohibits vaping in public spaces in the same way that smoking is currently prohibited. The bill was requested by the Department of Public Health. This legislation moves on to the House.

**SB 59 - Sen. Bo Hatchett**

**Creation of the Office of Inspector General** - Seeks to establish the Office of the Inspector General. This legislation moves on to the House.

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**New Legislation**

**Senate Legislation**

**SB 162 - Sen. Ben Watson, MD**

**Certificate of Need Repeal** - Seeks to eliminate certificate of need requirements for all health care facilities except certain long-term care facilities and services.

**SB 164 - Sen. Chuck Hufstetler**

**APRN Licensure** - Seeks to create licensure of advanced practice registered nurses.

**SB 196 - Sen. Ben Watson, MD**

**Seat Belts/Tort Relief** - Seeks to allow for the admissibility of seat belts as evidence in a civil trial.

**SB 197 - Sen. Chuck Hufstetler**

**Health Care Practitioners Truth and Transparency Act** - Seeks to prohibit deceptive or misleading terms or false representations by health care practitioners in advertisements and representations.

**SB 198 - Sen. Sally Harrell**

**IDD Commission** - Seeks to create the Georgians with Intellectual and Developmental Disabilities Innovation Commission.

**SB 200 - Sen. Bill Cowsert**

**APEX Doctrine** - Seeks to provide for a process for a high-ranking government or corporate officer of whom a deposition is sought to seek a protective order.

**House Legislation**

**HB 362 - Rep. Karen Mathiak**

**Insurance Disclosure** - Seeks to require an insurer or other entity which provides for payment or reimbursement of health care expenses, to disclose to a treating provider a written accounting of all payments and reimbursements for such provider's health care services.

**HB 363 - Rep. John LaHood**

**Rural Hospital Tax Credit Limit** - Seeks to increase the rural hospital tax credit limit for contributions by corporate donors and increase the aggregate limit for tax credits for contributions to rural hospital organizations.

**HB 383 - Rep. Matt Reeves**

**Violence Against Healthcare Workers** - Seeks to provide for enhanced penalties for aggravated assault and aggravated battery committed upon emergency health workers and healthcare workers located on a hospital campus

**HB 416 - Rep. Deborah Silcox**

**Pharmacy Technician Vaccine Authorization** - Seeks to authorize qualified pharmacy technicians to administer certain vaccines under the vaccine protocol agreement between their delegating pharmacist and a physician.

**HB 417 - Rep. David Knight**

**Insurance Discrimination** - Seeks to prohibit insurers from discriminating against certain health care facilities and providers in connection with the procurement, delivery, and administration of provider administered drugs.

**HB 434 - Rep. Lee Hawkins**

**Radiologist Assistants** - Seeks to provide for the licensing of radiologist assistants.

**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.

**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.

**HB 455 - Rep. John LaHood**

**Physician Safe Haven** - Seeks to provide confidentiality protections to participants in a wellness program for health care workers.

**HB 470 - Rep. Sharon Cooper**

**CANDOR** - Seeks to establish a CANDOR system that would allow for voluntary open communications related to healthcare that are protected from future disclosure in a civil suit.

**HB 487 - Rep. Mark Newton**

**Violence Against Healthcare Workers** - Seeks to expand enhanced punishment for aggravated assault and aggravated battery committed upon emergency health workers to all healthcare workers in a hospital or healthcare facility.

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**Committee Updates**

**Senate Education & Youth Committee**

### **SB 88 - Sen. Carden Summers**

**Parents and Child Protection Act** - Seeks to prohibit certain actions by an adult acting in loco parentis with respect to child privacy. Specifically, the bill prohibits such adults from discussing topics of sex education, sexual orientation, or gender identity without express parental consent. The bill was presented as a hearing only noting there were still changes that needed to be made to the legislation.

### **Senate Health and Human Services**

### **SB 46 - Sen. Chuck Hufstetler**

**HIV Testing of Pregnant Women** - Seeks to require physicians and healthcare providers to test all pregnant women for HIV and syphilis at the first prenatal visit, at 28–32 weeks' gestation, and at delivery. This legislation was recommended Do Pass and has moved onto Senate Rules.

### **SB 106 - Sen. Larry Walker**

**Healthy Mothers, Healthy Babies Act** - Seeks to provide for a three-year pilot program to provide coverage for remote maternal health clinical services under the Medicaid program. This legislation was recommended Do Pass and has moved onto Senate Rules.

### **SB 111 - Sen. Chuck Hufstetler**

**Anesthesiology Assistant Act** - Seeks to provide for an anesthesiologist assistant to be appointed in an advisory capacity to the Georgia Composite Medical Board. This legislation was recommended Do Pass and has moved onto Senate Rules.

### **House Appropriations Committee - Health Subcommittee**

Chairman Darlene Taylor 's subcommittee focused this week on the FY 2024 budget. Below are some quick notes on each health department.

#### ***Department of Community Health***

- Department has a 10 percent staff turnover rate.
- Aged Blind and Disabled still has fewer members but more expenses.
- The Office of Health Strategy and Coordination is now an independent budget item after being moved from under the Department of Community Health (“DCH”).
- In the Aged Blind and Disabled program, the FY 2024 enrollment growth is 25 percent higher than pre-covid, and \$79 million is needed to cover the growing costs. FMAP nets \$373 million with funding.
- The Directed Payment Program will be making all 61 rural hospitals whole from a budgetary standpoint.
- Georgia Pathways to Coverage, limited Medicaid expansion, will be an option for some of those individuals who are no longer eligible under Medicaid. She also raised questions on the study on rates for mental health providers; Commissioner Noggle acknowledged it was now public and on the website.
- The Tobacco Settlement funding, according to Representative Ron Stephens, also decreases significantly in FY 2024.
- Healthcare Facilities Regulation has the most vacancies.
- The state is also in short supply of budget and accounting personnel.
- The move to the Twin Towers from the 2 Peachtree St. location is a positive per Commissioner Noggle.

#### ***Georgia Board of Health Care Workforce***

- Graduate Medical Education is under this agency's overview for funding. 102 added residency slots are anticipated.
- \$375,000 is also added for hospitals to apply for a grant to determine if they may have the infrastructure to implement a residency program.

### ***The Georgia Department of Public Health***

- 4,000 staff work in county public health departments and also receive the \$2,000 increases.
- \$350,000 last year for ambulance repairs for McIntosh County, and the work was completed, so it is a reduction for the department.
- The Governor also included an increase in the PrEP program (pre-exposure prophylaxis program for HIV). A pilot program was implemented for areas that don't have PrEP programs presently (they are lacking in rural Georgia).
- A bond for maintenance and repairs for the public health laboratories (in Atlanta and Waycross). \$28 million was provided by the federal government but the grant does not cover everything - a total of \$975,000.
- 140 DPH vacancies
- 310 vacancies in county health departments

### ***The Office of Health Strategy and Coordination***

- APCD portal will be available in April 2023, and mandatory submission for payers will be June 1, with all payers onboarded in December 2024 (sooner than anticipated).
- APCD budget was shared with the Subcommittee (this will have a base of \$800,000). Another project was the review of the State's CMO contracts and the office provided a report on that review (looking too at other states' contracts) - administrative burdens, health equity initiatives, social determinants of health, etc.
- Emergency Transport Study has also been conducted over a six-week period for individuals in mental health crises. Some states use grant programs to assist law enforcement with transporting individuals (for instance, Tennessee and Virginia).
- HB 1013 also made a directive for the office to conduct a Preferred Drug List Study (there are four drug lists in Medicaid) - the focus was on a unified drug list across Medicaid. They also conducted a similar study for the State Health Benefit Plan. Accordingly, there are advantages to having unified drug lists, but no rebate information was available to determine cost recommendations.

## **House Public Health Committee**

### **HB 213 - Rep. Katie Dempsey**

**Required Vaccine Information** - Seeks to revise provisions relating to required information to parents of students regarding meningococcal meningitis and influenza and their respective vaccines. The age for providing influenza has changed to k-12 rather than grade 6-12. Meningitis language information sharing remains like current law. It does not change information suggestions for other grades. Local control is permitted. CDC has deemed that the flu vaccine is now age appropriate. This bill was recommended Do Pass and has moved onto House Rules.

### **HB 226 - Rep. Sharon Cooper**

**HIV Medicaid Treatment Services** - Seeks to require the Department of Community Health to submit a Section 1115 waiver request to the federal Centers for Medicare and Medicaid Services for a demonstration project to provide treatment services under Medicaid to persons in this state living with HIV. This legislation addresses the ability for

individuals to get access to HIV medications and allows individuals to live normally if they take their medications with their viral suppression load, so that they do not transmit the disease. It allows individuals who have HIV to go into Medicaid when eligible - it costs about \$10,000 to treat folks, and if full-blown AIDS, it costs \$30,000 annually (without hospitalizations). This legislation was recommended Do Pass and has moved onto House Rules.

### House Health Committee

#### **HB 203 - Rep. Mark Newton**

**Contact Lens Dispensing (1-800 Contacts)** - Seeks to address the sales and dispensing of contact lenses. It would allow the use of technology to be used to make eye assessments which could be included during a telemedicine visit. It also redefines eye examination to include telemedicine and does not require an in-person assessment. The legislation received a Do Pass and moved on to House Rules.

#### **HB 278 - Rep. John LaHood**

**Athletic Trainers Supervision** - Seeks to require athletic training students to be under the direct supervision of a physician or licensed athletic trainer. A hearing only was held.

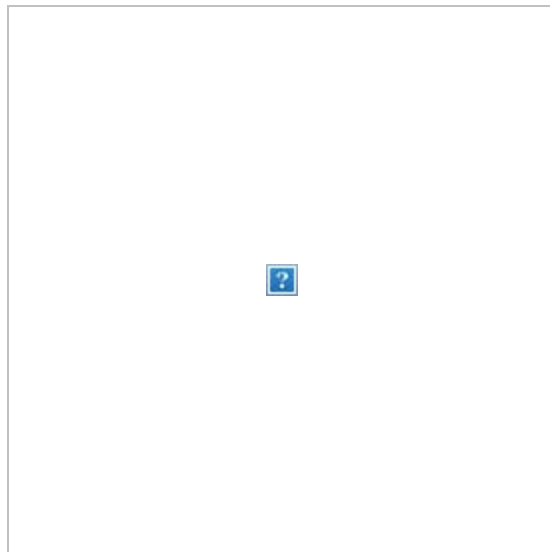
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***The 2023 Legislative Session will reconvene at 10:00am Tuesday, February 21st, 2023.***

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To find any bill, go to [www.legis.ga.gov](http://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.

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

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**We will be sending out legislative updates regularly throughout the 2023 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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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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