

From: [Renee Millians](#)
To: [Renee Millians](#)
Subject: 2023 Georgia Legislative Session - Legislative Day 16
Date: Friday, February 10, 2023 4:31:13 PM

Good afternoon, GACSB Board of Directors,
Please see the Legislative Day 16 update below from our Legislative Affairs team.
Have a safe and wonderful weekend!



Under the Gold Dome

Legislative Day 16

Full Steam Ahead

The State Capitol was a busy place this past week as what seemed like half of Georgia's population crowded into the people's house for their respective "Capitol Days." Despite the consistent traffic jams at the Capitol's public entrance, lawmakers were busy at work this week advancing bills through committees in preparation for both House and Senate floor votes. Legislation will begin picking up on both the Senate and House Floors as the weeks progress. We are just 12 legislative days away from Crossover, so time is ticking!

Floor Action

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

SB 1 - Sen. Greg Dolezal

COVID Vaccination Proof for Government Services - Seeks to remove the automatic repealer on the prohibition on state and local governments from requiring proof of COVID vaccination for government services.

New Legislation

SB 99 - Sen. Greg Dolezal, MD

Certificate of Need Modernization in Rural Areas - Seeks to provide an exemption for acute care hospitals established in rural counties that meet certain criteria surrounding population density.

SB 102 - Sen. Larry Walker

Certified Registered Nurse Anesthetist - Seeks to revise a provision relating to the administration of anesthesia by certified registered nurse anesthetists.

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.

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.

SB 140 - Sen. Carden Summers

Gender Dysphoria - Seeks to prohibit certain surgical procedures for the treatment of gender dysphoria in minors from being performed in hospitals and other licensed healthcare facilities and to prohibit certain surgical procedures for the treatment of gender dysphoria in minors.

SB 141 - Sen. Clint Dixon

Prohibiting Gender Changes - Seeks to prohibit health care providers from performing specified practices on minors relating to altering a person's appearance relating to gender and to prohibit health care providers from aiding or abetting such practices for minors.

HB 266 - Rep. Charlice Byrd

Medical Freedom Act - Seeks to repeal the authority of the Department of Public Health and all county boards of health to require persons to submit to vaccinations against or other measures to prevent contagious or infectious diseases.

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.

HB 286 - Rep. Michelle Au, MD

Ambulance Surprise Billing - Seeks to provide for certain consumer protections against surprise billing for ambulance service and to require a healthcare plan to reimburse for ambulance service provided to a covered person by a nonparticipating ambulance provider.

HB 295 - Rep. Lee Hawkins

Surprise Billing Consumer Protection Act Update - Seeks to revise certain

procedures, timelines, and other matters concerning consumer protections against surprise billing, provide grounds for new violations of unfair claims settlement practices and to provide for payments by insurers.

HB 332 - Rep. Butch Parrish

Dangerous Drug Update - Seeks to provide for certain provisions relating to Schedule I controlled substances, Schedule IV controlled substances, and Schedule V controlled substances

HB 339 - Rep. Shelly Hutchinson

DBHDD Audit Coordination - Seeks to provide that the Department of Behavioral Health and Developmental Disabilities conduct or coordinate all audits of behavioral health providers.

HB 343 - Rep. Mark Newton

Lowering Prescription Drug Costs for Patients- Seeks to require pharmacy benefits managers to calculate defined cost sharing for insureds at the point of sale.

Committee Updates

Senate Insurance and Labor Committee

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. Senator Brass presented the bill to the Committee, explaining that it “ties up a loophole” created by a bill aimed to address this issue last year. The Committee recommended the bill Do Pass and moved onto the House Rules Committee.

SB 43 - Sen. Kim Jackson

Suicide of Public Safety Officer- Seeks to provide that death by suicide of a public safety officer in certain instances be considered a death in the line of duty for purposes of indemnification; to provide clarification for instances of indemnification for heart attack, stroke, or vascular rupture. Senator Jackson presented the bill to the Committee, which passed the Senate last year. The Committee recommended the bill Do Pass and moved on the House Rules Committee.

Senate Health and Human Services

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. The Committee recommended the bill Do Pass and moved onto the Senate Rules Committee.

Senate Regulated Industries Committee

SB 99 - Sen. Greg Dolezal, MD

Certificate of Need Modernization in Rural Areas - Seeks to provide an exemption for acute care hospitals established in rural counties that meet certain criteria surrounding population density. The measure includes provisions that in case of an established rural hospital no longer meets this definition, the hospital could continue its operations. However, with a population under 50,000 people and reiterated it would be a full exemption for those counties.

Chairman Cowser asked that the Georgia Hospital Association, Alliance of Community Hospitals, and Wellstar (all who oppose the legislation as it is written) share any suggestions with the author to potentially narrow the bill.

House Public Health Committee

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 would increase patient access to monitors because access to a pharmacy is more accessible than to an endocrinologist. There are roughly 65 endocrinologists in Georgia. The committee recommended Do Pass and moved onto the House Rules Committee.

House Health Committee

Gregg Conley, Executive Counsel at the Department of Insurance gave a lengthy presentation on network adequacy throughout the state. Georgia OCI Health Market Scan was provided, showing some high-level information on the uninsured in Georgia. There were eight takeaways:

- Net premiums
- Household composition
- Race
- Housing
- Access to a physician (perceived access can impact enrollment)
- Education
- Geography
- Health condition.

Premiums which change by \$50 can cause a six percent drop in enrollment in plans. Reinsurance can have dramatic changes. 200,000 individuals signed up during ACA open enrollment in Georgia this past year.

Kinn Elliott, Director of State Government Affairs at Sage Therapeutics, discussed postpartum depression issues and major depressive disorder. Postpartum depression impacts 500,000 women annually and cost estimates are nearly \$100 billion annually in treatment alone. There are access challenges with the new ways to treat the diseases but thankfully prior authorizations and step therapy reforms have been implemented to assist in getting patients necessary treatments.

House Insurance Committee

HB 63 - Rep. Noel Williams

Furnishing of Insurance Claims - Seeks to Require insurers providing policies for groups of 20 or more to timely furnish claims experience at the request of a group

policyholder and to allow such insurers that use other methods to apply to the Commissioner for approval of the use of an alternative form of claims experience reporting. The Committee recommended the bill Do Pass and moved onto the House Rules Committee.

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. Representative Cooper noted to the committee that biomarker testing is relevant as new gene-based medicines aimed at cancer and autoimmune diseases and can target the DNA of the tumor or disease. Providers are achieving much better results for patients with late-stage cancers than radiation therapy and traditional cancer drugs. The Committee recommended the bill Do Pass and moved onto the House Rules Committee.

House Judiciary Non-Civil

HB 196- Rep. Alan Powell

Georgians Access to Medical Cannabis Update - Seeks to provide that the Georgia Access to Medical Cannabis Commission shall be subject to the Administrative Procedure Act and laws governing open meetings and open records. The bill also allows each licensee one additional dispensary to be located at its production facility and distribution of another licensee's products at any licensee's dispensary. Additionally, the bill establishes a legislative oversight commission and provides for up to four additional Class I licenses and five additional Class II licenses, up to a maximum of 14 Class I and Class II licenses. Chairman Powell presented the bill to the Committee, explaining the background and his desire to have the system fixed, and to get the process moving. The committee recommended Do Pass and moved onto the House Rules Committee.

The 2023 Legislative Session will reconvene at 10:00am Monday, February 13th, 2023.

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.



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 2023 session, so keep an eye on your inbox to stay updated on all of the happenings from under the Gold Dome.

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

Travis Lindley
404.886.5058
travis@capitolstrategy.us

Devin Krecl
770.655.9545
devin@capitolstrategy.us

--

Devin Krecl | Capitol Strategy Group, Inc.

2700 Cumberland Parkway, Suite 150, Atlanta, Georgia 30339

Office: (770) 435-5586 | Cell: (770) 655-9545

devin@capitolstrategy.us | www.capitolstrategy.us

CONFIDENTIALITY NOTICE: If you have received this e-mail in error, please immediately notify the sender at 912-691-5711. This e-mail may contain confidential information. This information is intended only for the use of the individual(s) or entity to whom it is intended even if addressed incorrectly. Please delete it from your files if you are not the intended recipient. Thank you for your compliance.

CONFIDENTIALITY NOTICE: If you have received this e-mail in error, please immediately notify the sender at 912-691-5711. This e-mail may contain confidential information. This information is intended only for the use of the individual(s) or entity to whom it is intended even if addressed incorrectly. Please delete it from your files if you are not the intended recipient. Thank you for your compliance.

CONFIDENTIALITY NOTICE: If you have received this e-mail in error, please immediately notify the sender at 912-691-5711. This e-mail may contain confidential information. This information is intended only for the use of the individual(s) or entity to whom it is intended even if addressed incorrectly. Please delete it from your files if you are not the intended recipient. Thank you for your compliance.

CONFIDENTIALITY NOTICE: If you have received this e-mail in error, please immediately

notify the sender at 912-691-5711. This e-mail may contain confidential information. This information is intended only for the use of the individual(s) or entity to whom it is intended even if addressed incorrectly. Please delete it from your files if you are not the intended recipient. Thank you for your compliance.