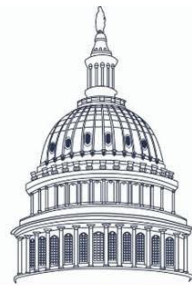


From: Robyn Garrett
Sent: Friday, February 26, 2021 8:04 PM
To: Robyn Garrett
Cc: Robyn Garrett
Subject: GACSB Georgia Legislative Session Update - Legislative Day 24



2021

capitol watch

Legislative Day 24

The 2021 Legislative Session is officially past the halfway point. Election reform continues to dominate the days in both the Senate and the House.

Legislators have finalized the remaining 16 days of the 2021 Georgia Legislative Session.

- Monday, March 1st - Legislative Day 25
- Wednesday, March 3rd - Legislative Day 26
- Friday, March 5th - Legislative Day 27
- Monday, March 8th - Legislative Day 28 (CROSSOVER)
- Tuesday, March 9th - Legislative Day 29
- Wednesday, March 10th - Legislative Day 30
- Thursday, March 11th - Legislative Day 31
- Monday, March 15th - Legislative Day 32
- Tuesday, March 16th - Legislative Day 33
- Wednesday, March 17th - Legislative Day 34
- Thursday, March 18th - Legislative Day 35
- Monday, March 22nd - Legislative Day 36
- Tuesday, March 23rd - Legislative Day 37
- Thursday, March 25th - Legislative Day 38
- Monday, March 29th - Legislative Day 39
- Wednesday, March 31st - Legislative Day 40 (SINE DIE)

House Floor Update

- **HB 34**, the Audiology and Speech-Language Pathology Interstate Compact. This bill passed the House floor, 165-1. It now moves to the Senate where it awaits a committee assignment.
- **HB 98**, by Rep. Eddie Lumsden, **addresses conditions by which state government meetings and public hearings may be held by teleconference in emergency conditions.** This bill passed the House Floor 162-0.
- **HB 234**, by Rep. Lee Hawkins seeks to provide an option for self-funded healthcare plans, exempt from state regulation under federal law, to opt in to Georgia's **Surprise Billing Consumer Protection Act.** This bill passed the House floor, 165-0. It has been assigned to the Senate Health and Human Services committee where it awaits a hearing.
- **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 passed the House floor, 158-0. It now moves on to the Senate Health and Human Services committee where it awaits a hearing.
- **HB 367**, by Rep. Butch Parrish seeks to make an **annual update to the state's dangerous drug scheduling list.** This bill passed the House floor, 164-0.
- **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 passed the House floor, 131-27.
- **HB 509**, by Rep. Houston Gaines, seeks to **require an insurer to provide at least one individual health insurance product with no pre existing condition limitations or exclusions** in the event that the Affordable Care Act is declared unconstitutional by the Supreme Court or is repealed by the Congress. This bill passed the House floor, 121-11.

Senate Health and Human Services Committee

- **HB 163**, by Rep. Sharon Cooper, directs **Georgia's Medicaid program to adopt "express lane" eligibility for kids who qualify for Medicaid**

coverage. The change would make it easier for uninsured Georgia kids who already qualify for Medicaid to enroll and stay covered. The House passed HB 163 earlier this month and the Senate Health and Human Services Committee recommended a Do Pass to move on to Senate Rules.

Senate Insurance and Labor Committee

- **SB 80**, by Senator Kay Kirkpatrick, **seeks to create the "Ensuring Transparency in Prior Authorization Act."** The bill includes a requirement that insurers' criteria and statistics for prior authorizations be posted online for providers, qualifications for reviewers, review deadlines that match current CMS guidelines (72 hours for urgent, 7 days for non-urgent issues), criteria for honoring prior authorizations, and requirement that prior authorizations be honored when plans or prior authorization reviewers are changed within the same insurer. This bill received a Do Pass and moves on to the Senate Rules 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 received a Do Pass and moves on to the Senate Rules Committee.
- **SB 191**, by Sen. Bill Cowsert **seeks to remove the provision in Georgia law that allows for direct actions against motor carriers and their insurers.** This direct action statute has been in law for 80 years and the ability to directly sue an insurer is necessary because motor carriers are transient. This bill was defeated in committee.

Senate Judiciary Committee

- **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 added a friendly amendment, adding in lines 67 "no county, municipality, or consolidated government may enact or enforce...".

House Insurance Committee - Life and Health Subcommittee

- **SB 4**, by Sen. Kay Kirkpatrick, seeks to establish **standards for substance abuse providers to limit some marketing practices of paying inducements to potential patients** and of overcharging or overusing drug tests. The bill was recommended Do Pass recommendation, moving to the Senate Rules Committee.
- **HB 73**, by Rep. Carolyn Hugley, seeks to **address limits copayments, co-insurance, or other cost sharing arrangements charged by insurers or pharmacy benefit managers for insulin** so that such changes can be no more than \$50 per 30 days' supply of the drug. This bill was recommended Do Pass and moves on to the House Rules Committee.

House Human Relations and Aging Committee

- **HB 261**, by Rep. Todd Jones seeks to create a **pilot program to conduct a simulated exchange for health care facilities to purchase and sell charity care credits to meet their charity care requirements.** The pilot is focused on not-for-profit hospitals and way that they can buy and sell credits. The Georgia Hospital Association, Georgia Alliance of Community Hospitals, and the Georgia Department of Community Health all oppose this legislation. No vote was taken in committee.
- **HB 605**, by Rep. Sharon Cooper, seeks **permission to allow cameras in long-term care facilities** so that families can have some piece of mind on their loved one's care. The legislation addresses a patient's decision making capacity; disagreement if a patient, who shares a room, may encounter when they do not wish to have a camera device; addresses sharing of recordings; addresses when a camera/recording may be discontinued. The bill does address the movement of a patient if he or she does not wish to be in a room with another individual who has a camera.

House Industry and Labor Committee

- **HB 389**, by Rep. Todd Jones seeks to change the definition of employment to encompass services performed for wages. The Department of Labor is authorized to make a contrary determination on a case by case basis. No action was taken on the bill.
- **HB 397**, by Rep. Bill Werkheiser seeks to specify that professional employment organizations and co-employment clients must agree in writing on the responsibility to provide workers compensation. If no agreement is reached in writing, the co-employment client is responsible for providing the workers compensation. No action was taken on this bill.

House Regulated Industries Subcommittee

- **HB 369**, by Rep. Alan Powell seeks to alter the rules for physician assistants and advanced practice registered nurses. The bill would **no longer require PA's to submit job descriptions to the Georgia Composite Medical Board** and would allow APRNs to prescribe Schedule II drugs in emergency situations. There was no action taken.

House Special Committee on Access to Quality Healthcare

- **HB 454**, by Rep. Mark Newton, MD seeks to provide certain coverage requirements concerning providers that become out-of-network during a plan year. When an **insurer's provider directory** includes a provider as a participating provider for a network plan at such time as a prospective covered person selects his or her health benefit plan, the insurer would be required cover the provider charges at in-network rates for the duration of the contract year for the covered person, regardless of whether the provider remains a participating provider in the insurer's network plan. The legislation would also ensure that the covered person shall not be responsible for more than the amount for which they would have been responsible had the services been delivered by an in-network provider under the network plan. This legislation received a Do Pass and moves on to the House Rules Committee.

New House Legislation

- **HB 581**, by Rep. Martin Momtahan seeks to create new **consumer protections for insurance including mandatory informational postings and requirements for claimant responses**. This bill has been assigned to the House Special Committee on Access to the Civil Justice System.
- **HB 590**, by Rep. Don Hogan seeks to establish an **assisted outpatient treatment pilot program for persons with mental illness**. The system is specifically designed for individuals that have trouble maintaining engagement with essential mental health treatment. The bill creates a three-year assisted outpatient treatment grant program. This bill has been assigned to the House Health and Human Services Committee.
- **HB 591**, by Rep. Don Hogan seeks to **authorize licensed marriage and family therapists to perform certain acts related to emergency mental health treatment (i.e. 1013 involuntary commitment)**. This bill has been assigned to the House Health and Human Services Committee.
- **HB 592**, by Rep. Matthew Wilson, seeks to stipulate **standards of gross negligence regarding the COVID-19 safety requirements for businesses and facilities**. Violation of this standard voids any other tort immunity related to COVID-19. This bill has been assigned to the House Special Committee on Access to the Civil Justice System.
- **HB 601**, by Rep. Ron Stephens, seeks to **clarify that definitions for marijuana in the criminal code** does not include products approved by the FDA. This bill has been assigned to the House Judiciary Non-Civil Committee.
- **HB 627**, by Rep. John LaHood, seeks to **require athletic training students to be under the direct supervision of a physician** or licensed athletic trainer as well as revise and update certification requirements. This bill has been assigned to the House Health and Human Services Committee.
- **HB 629**, by Rep Mark Newton, seeks to **eliminate certain restrictions on the sale and dispensing of contact lenses**. 1-800 contacts is the leader behind this legislation. This bill has been assigned to the House Health and Human Services Committee.
- **HB 645**, by Rep. Micah Gravely, seeks to **update the Georgia Hope Act** in regards to cannabis dispensing licenses, production licenses, and new treatment and delivery methods. This bill has been assigned to the House Regulated Industries Committee.
- **HB 653**, by Rep. Rick Jasperse seeks to **update the Georgia Pharmacy Practice Act** relating to the ordering and administering of COVID-19 testing.

New House Resolutions

- **HR 185**, by Rep. David Ralston, seeks to **reauthorize the House Rural Development Council**. This resolution was referred to the House Economic Development and Tourism Committee.

New Senate Legislation

- **SB 226**, by Sen. Jason Anavitarte seeks to make the **sale or distribution of harmful material to minors statute applicable to libraries operated by schools**. This bill has been assigned to the Senate Judiciary Committee.
- **SB 235**, by Sen. Ben Watson seeks to **exempt mask wearing to prevent the spread of COVID-19 or other infectious respiratory disease from state criminal anti-mask laws**. This bill unanimously passed the Senate Health and Human Services Committee and currently sits in the Senate Rules Committee.
- **SB 256**, by Sen. Dean Burke, seeks to **provide for the reorganization of county boards of health, revise the powers of county boards of health, and to authorize the Department of Public Health to select district health director**.

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.

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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.

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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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