

House Bill 1595

By: Representatives Jackson of the 148th, West of the 101st, Randall of the 127th, Childers of the 13th and Henson of the 65th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to
2 general provisions relating to professions and businesses, so as to include physicians in the
3 "Georgia Volunteers in Health Care Specialties Act"; to provide for licensing retired
4 physicians; to provide for conditions and limitations; to provide for automatic repeal and
5 expiration of licenses; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general
10 provisions related to professions and businesses, is amended by striking Code Section
11 43-1-28, relating to volunteers in health care specialties, and inserting in its place the
12 following:

13 "43-1-28.

14 (a) This Code section shall be known and may be cited as the 'Georgia Volunteers in
15 Health Care Specialities Act.'

16 (b) As used in this Code section, the term:

17 (1) 'Health care board' means that professional licensing board which licenses a health
18 care practitioner under this title.

19 (2) 'Health care practitioner' means a chiropractor, physician, registered professional
20 nurse, or podiatrist.

21 (3) 'Health care specialty' means the practice of chiropractic, medicine, nursing, or
22 podiatry.

23 (c) Notwithstanding any other provision of law, each health care board may issue a special
24 license to qualifying health care practitioners whose health care specialty is licensed by that
25 board under the terms and conditions set forth in this Code section. The special license may
26 only be issued to a person who:

1 (1) Is currently licensed to practice the applicable health care specialty in any health care
2 specialty licensing jurisdiction in the United States and whose license is in good standing;

3 or

4 (2) Is retired from the practice of the health care specialty and not currently engaged in
5 such practice either full time or part time and has, prior to retirement, maintained full
6 licensure in good standing in the applicable health care specialty licensing jurisdiction in
7 the United States.

8 (d) The special licensee shall be permitted to practice the health care specialty only in the
9 noncompensated employ of public agencies or institutions, not for profit agencies, not for
10 profit institutions, nonprofit corporations, or not for profit associations which provide
11 health care specialty services only to indigent patients in areas which are underserved by
12 that specialty or critical need population areas of the state, as determined by the board
13 which licenses that specialty.

14 (e) The person applying for the special license under this Code section shall submit to the
15 appropriate health care board a copy of his or her health care specialty degree, a copy of
16 his or her health care specialty license in his or her current or previous licensing and
17 regulating jurisdiction, and a notarized statement from the employing agency, institution,
18 corporation, or association on a form prescribed by that board, whereby he or she agrees
19 unequivocally not to receive compensation for any health care specialty services he or she
20 may render while in possession of the special license.

21 (f) Examinations by the health care board, any application fees, and all licensure and
22 renewal fees may be waived for the holder of the special license under this Code section.

23 (g) If, at the time application is made for the special license, the health care practitioner
24 is not in compliance with the continuing education requirements established by the health
25 care board for the applicable health care specialty, the health care practitioner shall be
26 issued a nonrenewable temporary license to practice for six months provided the applicant
27 is otherwise qualified for such license.

28 (h) The liability of persons practicing a health care specialty under and in compliance with
29 a special license issued under this Code section and the liability of their employers for such
30 practice shall be governed by Code Section 51-1-29.1, except that a podiatrist engaged in
31 such practice and an employer thereof shall have the same immunity from liability as
32 provided other health care practitioners under Code Section 51-1-29.1.

33 (i) Nothing contained in this Code section shall be construed to authorize the holder of the
34 special license provided for in this Code section to perform surgery or any surgical
35 procedure.

36 (i)(j) This Code section, being in derogation of the common law, shall be strictly
37 construed."

1 **SECTION 2.**

2 Section 1 of this Act shall be automatically repealed July 1, 2004, upon which date any
3 special license issued pursuant to Section 1 of this Act shall also expire.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.