

Senate Bill 394

By: Senators Thompson of the 33rd, Stokes of the 43rd and Tanksley of the 32nd

**AS PASSED**

**AN ACT**

To amend Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to the Department of Human Resources and its governing board and commissioner, so as to change the composition of the Board of Human Resources; to provide for related matters; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to the Department of Human Resources and its governing board and commissioner, is amended by striking Code Section 49-2-2, relating to the Board of Human Resources, and inserting in its place a new Code section to read as follows:

**"49-2-2.**

(a) There is created a Board of Human Resources which shall establish the general policy to be followed by the Department of Human Resources created by Code Section 49-2-1. The board shall consist of one member from each congressional district in the state and four at-large members appointed by the Governor and confirmed by the Senate. For this purpose, the congressional districts used shall be those specified in Code Section 21-1-2, as amended by Act No. 2EX11 of the second extraordinary 2001 session of the General Assembly and as thereafter amended by law. Seven members of the board shall be engaged professionally in rendering health services, and at least five of these seven members shall be licensed to practice medicine pursuant to Chapter 34 of Title 43. In appointing members to the board, the Governor shall take into account to the extent practicable all areas and functions encompassed by the department.

(b) The Governor shall designate the initial terms of the members of the board as follows: three members shall be appointed for one year; three members shall be appointed for two years; three members shall be appointed for three years; three members shall be appointed for four years; and the remaining members shall be appointed for five years. Thereafter, all

succeeding appointments shall be for five-year terms from the expiration of the previous term.

(c) Vacancies in office shall be filled by appointment by the Governor in the same manner as the appointment to the position on the board which becomes vacant, and the appointment shall be submitted to the Senate for confirmation at the next session of the General Assembly. An appointment to fill a vacancy, other than by expiration of a term of office, shall be for the balance of the unexpired term.

(d) There shall be a chairman of the board, elected by and from the membership of the board, who shall be the presiding officer of the board.

(e) Those members engaged in rendering health services shall comprise no more than seven members of the total membership of the board.

(f) The members of the board shall receive per diem and expenses as shall be set and approved by the Office of Planning and Budget and in conformance with rates and allowances set for members of other state boards."

## **SECTION 2.**

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