

House Bill 470

By: Representatives Channell of the 111th, Parrish of the 144th, Porter of the 143rd, Coleman of the 142nd, Childers of the 13th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Community Health, so as to permit the department to appoint a health care
3 work force policy advisory committee and to receive gifts and donations; to provide for rules;
4 to amend Article 6 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated,
5 relating to the Indigent Care Trust Fund, so as to provide for transfers to and appropriations
6 from the fund and return to and nonlapse of moneys in the fund; to amend Code Section
7 43-34-24.1 of the Official Code of Georgia Annotated, relating to investigators for the
8 Composite State Board of Medical Examiners, so as to provide for staffing; to amend Article
9 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical
10 assistance, so as to require insurers to take certain actions and provide penalties; to authorize
11 the department to establish certain health care pilot projects; to permit the department to
12 receive interest payments; to provide an effective date; to repeal conflicting laws; and for
13 other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 style="text-align:center">**SECTION 1.**

16 Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the Department
17 of Community Health, is amended by striking "; and" from the end of paragraph (4) of
18 subsection (f) of Code Section 31-5A-4, relating to powers of that department; by striking
19 the period at the end of paragraph (5) thereof and inserting a semicolon; and by adding
20 immediately thereafter the following:

21 "(6) Is authorized to appoint a health care work force policy advisory committee to
22 oversee and coordinate work force planning activities; and

23 (7) Is authorized to solicit and accept donations, contributions, and gifts and receive,
24 hold, and use grants, devises, and bequests of real, personal, and mixed property on
25 behalf of the state to enable the department to carry out its functions and purposes."

1 of 1974 and managed care entities as defined in Code Section 33-20A-3, which offer health
 2 benefit plans, as defined in Code Section 33-24-57.1, shall comply with this subsection.

3 Those insurers shall:

4 (1) Cooperate with the department in determining whether a person who is a recipient
 5 of medical assistance may be covered under that insurer's health benefit plan and eligible
 6 to receive benefits thereunder for the medical services for which that medical assistance
 7 was provided;

8 (2) Accept the department's authorization for the provision of medical services on behalf
 9 of a recipient of medical assistance as the insurer's authorization for the provision of
 10 those services; and

11 (3) Comply with the requirements of Code Section 33-24-59.5, regarding the timely
 12 payment of claims submitted by the department for medical services provided to a
 13 recipient of medical assistance and covered by the health benefit plan, subject to the
 14 payment to the department of interest as provided in that Code section for failure to
 15 comply.

16 The requirements of paragraphs (2) and (3) of this subsection shall only apply to a health
 17 benefit plan which is issued, issued for delivery, delivered, or renewed on or after this
 18 subsection first becomes effective in 2001."

19 SECTION 9.

20 Said article is further amended by striking Code Section 49-4-152, relating to research and
 21 demonstration projects, and inserting in its place the following:

22 "49-4-152.

23 ~~The~~ Subject to the availability of funds, the Department of Community Health is authorized
 24 to enter into agreements with and submit applications to departments and agencies of the
 25 government of the United States for purposes of accepting grants, receiving matching
 26 funds, and administering such grants and funds for research and demonstration projects
 27 pursuant to ~~Title XI, Section 1115; Titles XI, XVIII, XIX, or XXI~~ of the federal Social
 28 Security Act of 1935, as amended, or any other provision of federal law, without regard to
 29 the factor of state wideness and such other factors as may be required to be waived by the
 30 terms of the federal grant. Notwithstanding any other provision of law and subject to the
 31 availability of funds, the department is authorized to establish pilot projects to provide
 32 health care coverage and access to essential health care services or benefits to the uninsured
 33 and underinsured, including but not limited to pharmacy assistance programs."

1 **SECTION 10.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 11.**

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