

House Bill 935

By: Representatives Harrell of the 54<sup>th</sup>, Brown of the 89<sup>th</sup>, Gardner of the 42<sup>nd</sup>, Post 3, and Howard of the 98<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 6 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to general provisions related to services for the aging, so as to provide for legislative  
3 findings and intent; to establish an advisory committee on seniors and prescription drug costs  
4 and to provide for its selection, compensation, powers, qualifications, and duties; to provide  
5 for automatic repeal; 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 Article 1 of Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to  
10 general provisions related to services for the aging, is amended by adding a new Code  
11 Section 49-6-8 to read as follows:

12 "49-6-8.

13 (a) The General Assembly finds, determines, and declares:

14 (1) That prescription drugs are the fastest rising component of personal health  
15 expenditures in the United States and many conditions that previously required surgery  
16 and hospitalization now are treatable by prescription drugs;

17 (2) That the prices of prescription drugs are a matter of great concern to most adults, but  
18 especially to seniors, who are the biggest consumers of such drugs and for whom their  
19 quality of life depends on such drugs;

20 (3) That the cost of prescription drugs can create financial burdens for many seniors,  
21 particularly those with low incomes;

22 (4) That most seniors are enrolled in medicare, but medicare does not pay for outpatient  
23 prescription drugs, and many medicare beneficiaries have little or no supplemental  
24 insurance coverage to help pay for their prescription drugs;

1 (5) That the pharmaceutical industry has risen to the challenge to ease the financial  
2 burden of the cost of prescription drugs for seniors and has implemented prescription  
3 drug assistance programs for seniors who cannot afford those medications;

4 (6) That this state has available currently a program, GeorgiaCares, designed to educate  
5 and help seniors apply for all available low cost prescription drug assistance programs;  
6 and

7 (7) That the subcommittee of the Human Relations and Aging Committee of the House  
8 of Representatives, which has reported on the issue of prescription drug costs for seniors,  
9 has recommended continued study of ways to assist seniors with their medication costs.

10 (b)(1) For reasons specified in subsection (a) of this Code section, there is established an  
11 advisory committee on seniors and prescription drug costs for the purposes of studying  
12 and collecting the informational data specified in this Code section and providing two  
13 reports on such information to the General Assembly and Governor by December 1,  
14 2004, and by December 1, 2006, for the purpose of providing recommendations  
15 concerning, but not limited to, the following:

16 (A) Appropriate methodologies to evaluate the experiences of seniors trying to access  
17 prescription drug assistance programs and the effectiveness of referrals to such  
18 programs;

19 (B) Marketing approaches to provide information about available prescription drug  
20 assistance programs to seniors;

21 (C) Streamlining the application process for prescription drug assistance programs;

22 (D) Coordinating various prescription drug assistance programs; and

23 (E) Evaluating outcome data provided by GeorgiaCares to make policy  
24 recommendations to the General Assembly.

25 (2) The advisory committee on seniors and prescription drug costs shall consist of at least  
26 11 members who shall be appointed by the director of the Division of Aging Services of  
27 the Department of Human Resources. Members appointed to the committee shall have  
28 training, experience, or interest in the area of senior health care and shall include at least  
29 one physician specializing in gerontology, one pharmacist, one member of a nonprofit  
30 organization that advocates for seniors, one senior consumer, one representative of the  
31 pharmaceutical industry, and one representative of the area agencies on aging. In  
32 addition, the Speaker of the House of Representatives shall appoint one member from the  
33 House of Representatives, and the President of the Senate shall appoint one member from  
34 the Senate to serve on the advisory committee. Members of the committee shall be  
35 assisted by staff of the Division of Aging Services of the Department of Human  
36 Resources as the director of the division deems necessary.

1 (3) The members of the advisory committee on seniors and prescription drug costs shall  
2 serve without compensation.

3 (4) The advisory committee on seniors and prescription drug costs shall meet as often as  
4 necessary to study and collect the information necessary and provide reports to the  
5 General Assembly and Governor on December 1, 2004, and December 1, 2006, and to  
6 develop and make recommendations specified in paragraph (1) of this subsection.

7 (5) This Code section is automatically repealed effective July 1, 2007."

8 **SECTION 2.**

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