

The Senate Health and Human Services Committee offered the following substitute to HB 56:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, Title 31
2 of the Official Code of Georgia Annotated, relating to health, and Title 49 of the Official
3 Code of Georgia Annotated, relating to social services, so as to revise and change certain
4 provisions regarding the Georgia Board for Physician Workforce, the State Medical
5 Education Board, and the Renal Dialysis Advisory Council; to change certain provisions
6 regarding the staff and executive director of the State Medical Education Board; to change
7 certain provisions regarding funds for loans and scholarships and administrative assignment
8 of the State Medical Education Board; to change certain provisions regarding legislative
9 purposes with respect to certain provisions regarding medical scholarships; to change certain
10 provisions regarding the powers, duties, and functions of the Department of Community
11 Health; to change certain provisions regarding funding of medical education provided by
12 hospital authorities and designated teaching hospitals; to change certain provisions regarding
13 funding of service cancelable loans to physicians in rural areas; to change certain provisions
14 regarding the establishment of the Renal Dialysis Advisory Council; to change certain
15 provisions regarding the administrative assignment, powers, duties, and functions of the
16 Georgia Board for Physician Workforce; to provide for related matters; to repeal conflicting
17 laws; and for other purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

19 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
20 striking Code Section 20-3-511, relating to the employment of staff and an executive director
21 of the State Medical Education Board, and inserting in its place a new Code Section 20-3-511
22 to read as follows:
23

1 "20-3-511.

2 ~~With the concurrence of the State Medical Education Board, the Department of Community~~
 3 ~~Health shall employ and provide for the compensation of such administrative staff,~~
 4 ~~including but not limited to an executive director, as is necessary to carry out the functions~~
 5 ~~of the State Medical Education Board. The State Medical Education Board shall have the~~
 6 ~~authority to employ such administrative staff as is necessary to carry out the functions of~~
 7 ~~the State Medical Education Board. Such staff members shall be employed within the~~
 8 ~~limits of the appropriations made to the State Medical Education Board.~~"

9 SECTION 2.

10 Said title is further amended by striking Code Section 20-3-516, relating to funds for loans
 11 and scholarships and administrative assignment of the State Medical Education Board, and
 12 inserting in its place a new Code Section 20-3-516 to read as follows:

13 "20-3-516.

14 The funds necessary for the loans or scholarships provided for by this part and to
 15 administer the terms of this part shall come from funds made available to the State Medical
 16 Education Board from appropriations to the ~~Department of Community Health~~ Board of
 17 Regents of the University System of Georgia for medical scholarships or other purposes.
 18 The State Medical Education Board shall be an independent state agency assigned to the
 19 ~~Department of Community Health~~ Board of Regents of the University System of Georgia
 20 for administrative purposes only, ~~except that such department shall prepare and submit the~~
 21 ~~budget for that board in concurrence with that board~~ as provided in Code Section 50-4-3."

22 SECTION 3.

23 Said title is further amended by striking Code Section 20-3-518, relating to legislative
 24 purposes with respect to certain provisions regarding medical scholarships, and inserting in
 25 its place a new Code Section 20-3-518 to read as follows:

26 "20-3-518.

27 It is the purpose and intent of this part to bring about an adequate supply of persons
 28 licensed to practice medicine in the more sparsely populated areas of the State of Georgia
 29 and in other areas of need as determined by the State Medical Education Board in
 30 cooperation with the Georgia Board for Physician Workforce, by increasing the number
 31 of medical students from Georgia in the various medical schools and inducing a sufficient
 32 number of the graduates from medical schools to return to Georgia and practice their
 33 profession, thus affording adequate medical care to the people of Georgia. In furtherance
 34 of such purpose, the State Medical Education Board shall have sole responsibility and

1 authority for all state programs designed to assist Georgia communities with recruitment
 2 and retention of physicians."

3 **SECTION 4.**

4 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by striking
 5 paragraph (2) of subsection (f) of Code Section 31-5A-4, relating to powers, duties, and
 6 functions of the Department of Community Health, and inserting in its place a new paragraph
 7 (2) to read as follows:

8 "(2) ~~Is authorized to plan and coordinate medical education and physician workforce~~
 9 ~~issues~~ Reserved;"

10 **SECTION 5.**

11 Said title is further amended by striking subsections (c) and (d) of Code Section 31-7-95,
 12 relating to funding of medical education provided by hospital authorities and designated
 13 teaching hospitals, and inserting in their place new subsections (c) and (d) to read as follows:

14 "(c) For each resident receiving medical education and training through a teaching hospital
 15 operated by a hospital authority or designated teaching hospital, the ~~Department of~~
 16 ~~Community Health~~ Georgia Board for Physician Workforce shall pay no more than
 17 \$10,000.00 per annum to the hospital authority or designated teaching hospital. Such
 18 payments shall be made based upon certifications by the hospital authorities or designated
 19 teaching hospitals to the ~~Department of Community Health~~ Georgia Board for Physician
 20 Workforce. The ~~Department of Community Health~~ Georgia Board for Physician
 21 Workforce is authorized to ~~designate the Georgia Board for Physician Workforce~~ to
 22 promulgate rules and regulations specifying procedures for making the certifications
 23 provided for in this Code section and to establish a procedure for making payments to
 24 hospital authorities and designated teaching hospitals as provided in this Code section.

25 (d) The funds necessary to carry out this Code section shall derive from funds appropriated
 26 for such purpose to the ~~Department of Community Health~~ Georgia Board for Physician
 27 Workforce. In the event the funds appropriated by the General Assembly are insufficient
 28 to fund the full amount payable to hospital authorities or designated teaching hospitals
 29 under subsection (c) of this Code section, the amount otherwise payable thereunder shall
 30 be reduced pro rata in accordance with the funds actually appropriated for such purpose.
 31 The ~~Department of Community Health~~ Georgia Board for Physician Workforce shall have
 32 the authority to promulgate rules and regulations to carry out the provisions of this Code
 33 section. No additional teaching hospitals will be added until such funds have been made
 34 available for any additional teaching hospitals."

1 paragraph (1) of subsection (a) and striking subsection (d) and inserting in their place a new
 2 paragraph (1) of subsection (a) and a new subsection (d) to read as follows:

3 "~~(1) The Joint Board of Family Practice which existed on January 1, 1998, is continued in~~
 4 ~~existence but on and after July 1, 1998, shall become and be known as the Georgia Board~~
 5 ~~for Physician Workforce. The Georgia Board for Physician Workforce, referred to in this~~
 6 ~~chapter as the 'board,' shall be attached to the Department of Community Health Board of~~
 7 ~~Regents of the University System of Georgia for administrative purposes only, as defined~~
 8 ~~by Code Section 50-4-3, except that such department shall prepare and submit the budget~~
 9 ~~for that board in concurrence with that board."~~

10 "~~(d) The Department of Community Health, with the concurrence of the board, The~~
 11 ~~Georgia Board for Physician Workforce shall have the authority to employ such~~
 12 ~~administrative staff as is necessary to carry out the functions of the board. Such staff~~
 13 ~~members shall be employed within the limits of the appropriations made to the board."~~

14 SECTION 9.

15 Said title is further amended by striking Code Section 49-10-3, relating to powers, duties, and
 16 responsibilities of the Georgia Board of Physician Workforce, and inserting in its place a new
 17 Code Section 49-10-3 to read as follows:

18 "49-10-3.

19 The board shall have the following powers, duties, and responsibilities:

20 ~~(1) To locate and determine specific underserved areas of the state in which unmet~~
 21 ~~priority needs exist for physicians by monitoring and evaluating the supply and~~
 22 ~~distribution of physicians by specialty and geographical location;~~

23 ~~(2) To approve and allocate state appropriations for family practice training programs,~~
 24 ~~including but not limited to fellowships in geriatrics and other areas of need as may be~~
 25 ~~identified by the board;~~

26 ~~(3) To approve and allocate state appropriations for designated pediatric training~~
 27 ~~programs;~~

28 ~~(4) To approve and allocate any other state funds appropriated to the Georgia Board for~~
 29 ~~Physician Workforce to carry out its purposes;~~

30 ~~(5) To coordinate and conduct with other state, federal, and private entities, as~~
 31 ~~appropriate, activities to increase the number of graduating physicians who remain in~~
 32 ~~Georgia to practice with an emphasis on medically underserved areas of the state; and~~

33 ~~(6) To carry out any other functions assigned to the board by general law.~~

34 (1) Plan and coordinate state-wide medical education and physician workforce policy
 35 and issues;

1 (2) Advise the Governor, General Assembly, and the Board of Regents of the University
 2 System of Georgia on the short-term and long-range projected requirements for
 3 physicians necessary to provide access to primary and specialty medical care in Georgia,
 4 policy and issues related to the education and characteristics of physicians in Georgia,
 5 and changing conditions that may threaten or negatively impact the achievement of
 6 physician workforce objectives;

7 (3) Monitor and evaluate the supply and distribution of physicians in Georgia by
 8 specialty and geographic location; in order to carry out this responsibility, the board is
 9 authorized to conduct surveys of physicians licensed in Georgia; the Composite Board
 10 of Medical Examiners is directed to provide full cooperation and assistance to the board
 11 in the conduct of such physician surveys;

12 (4) Define specific areas of the state in which unmet needs for physicians exist;

13 (5) Establish, prioritize, and maintain current physician workforce objectives, taking into
 14 account current and projected changes in medicine and medical practice, changing
 15 conditions, and changing needs for medical care in Georgia;

16 (6) Study and recommend options for financing medical education;

17 (7) Designate teaching hospitals eligible to receive residency capitation funds as
 18 authorized by subsection (c) of Code Section 31-7-95 of the Official Code of Georgia
 19 Annotated for purposes of defining the list of teaching hospitals that qualify for the
 20 teaching hospital provisions of the state's certificate of need regulations;

21 (8) Approve and allocate state appropriations for medical education programs, except for
 22 appropriations made to the Medical College of Georgia through the Board of Regents of
 23 the University System of Georgia;

24 (9) Approve and allocate any other state funds appropriated to the Georgia Board for
 25 Physician Workforce to carry out its purposes;

26 (10) Coordinate and conduct with other state, federal, and private entities, as appropriate,
 27 other activities to increase the supply of physicians in medically underserved areas of
 28 Georgia and to meet other physician workforce objectives for Georgia; and

29 (11) Carry out any other functions assigned to the board by general law."

30 SECTION 10.

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