

House Bill 56 (AS PASSED HOUSE AND SENATE)

By: Representative Childers of the 13<sup>th</sup>, Post 1

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 the length of term  
14 of office of the presiding officer of the Commission on Men's Health; to change certain  
15 provisions regarding the establishment of the Renal Dialysis Advisory Council; to change  
16 certain provisions regarding the administrative assignment, powers, duties, and functions of  
17 the Georgia Board for Physician Workforce; to provide for related matters; to repeal  
18 conflicting laws; and for other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

21 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
22 striking Code Section 20-3-511, relating to the employment of staff and an executive director  
23 of the State Medical Education Board, and inserting in its place a new Code Section  
24 20-3-511 to read as follows:

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 dialysis patients or family members of dialysis patients; one member representing  
 2 technicians working in renal dialysis facilities; one member representing social workers  
 3 working in renal dialysis facilities; and one member representing nutritionists working in  
 4 renal dialysis facilities."

#### 5 SECTION 8.

6 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
 7 in Code Section 49-10-1, relating to the Georgia Board for Physician Workforce, by striking  
 8 paragraph (1) of subsection (a) and striking subsection (d) and inserting in their place a new  
 9 paragraph (1) of subsection (a) and a new subsection (d) to read as follows:

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

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

#### 21 SECTION 9.

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

25 "49-10-3.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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**SECTION 10.**

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