

House Bill 1704

By: Representatives Shaw of the 143rd, Channell of the 77th, and Parham of the 94th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-5A-4 of the Official Code of Georgia Annotated, relating to
2 powers, duties, functions, and responsibilities of the Department of Community Health, so
3 as to provide for annual reports on the fiscal condition of the state program of health services
4 for individuals pursuant to Title XIX of the Social Security Act; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 31-5A-4 of the Official Code of Georgia Annotated, relating to powers, duties,
9 functions, and responsibilities of the Department of Community Health, is amended by
10 adding to the end of said Code section the following:

11 "(g) The commissioner shall provide to the Lieutenant Governor, the Speaker of the House
12 of Representatives, and the chairpersons of the Appropriations Committees of the House
13 of Representatives and Senate by February 1 of each year a status report of the fiscal
14 condition of the state program of health services for individuals pursuant to Title XIX of
15 the Social Security Act. The report shall include:

- 16 (1) The amount by provider of any funds received by the department or the Indigent Care
17 Trust Fund and used to claim federal financial participation pursuant to Title XIX of the
18 Social Security Act;
19 (2) The amount of any related provider payment; and
20 (3) The amount of funds retained by the department for federal matching purposes.

21 (h) Prior to the implementation of any managed care or capitated payment system for
22 persons eligible for health services pursuant to Title XIX of the Social Security Act, the
23 commissioner shall provide a report to the chairpersons of the Appropriations Committees
24 of the House of Representatives and Senate. The report shall include:

- 25 (1) An estimate of the number of individuals subject to mandatory enrollment in health
26 maintenance organizations or provider sponsor health care corporations;

- 1 (2) An estimate of the costs of services to these individuals in the most recent state fiscal
2 year to which the department has data;
- 3 (3) An estimate of the per member per month costs of providing services to these
4 individuals on a managed care basis; and
- 5 (4) An estimate of the savings to be achieved through implementation of a managed care
6 program. The commissioner shall also provide assurances in the report that such managed
7 care plans will not reduce access to health care services by medical beneficiaries. The
8 department shall not require enrollment of Medicaid individuals in health maintenance
9 organizations, provider sponsor health care corporations, or any capitated arrangement
10 for provision of health services as a condition of eligibility without legislative approval
11 of both the House of Representatives and Senate."

12 **SECTION 2.**

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