

House Bill 935 (FLOOR SUBSTITUTE)

By: Representatives Harrell of the 54<sup>th</sup>, Brown of the 89<sup>th</sup>, Stokes of the 72<sup>nd</sup>, Howard of the 98<sup>th</sup>, Gardner of the 42<sup>nd</sup>, Post 3, and others

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 will offer some assistance  
23 for outpatient prescription drugs, but there will still be significant out of pocket expenses;

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

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

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

7 (b)(1) For reasons specified in subsection (a) of this Code section, there is established  
8 an advisory committee on seniors and prescription drug costs for the purposes of studying  
9 and collecting the informational data specified in this Code section and providing two  
10 reports on such information to the General Assembly and Governor by July 1, 2005, and  
11 by July 1, 2007, for the purpose of providing recommendations concerning, but not  
12 limited to, the following:

13 (A) Appropriate methodologies to evaluate the experiences of seniors trying to access  
14 prescription drug assistance programs and the effectiveness of referrals to such  
15 programs;

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

18 (C) Streamlining the enrollment and purchasing process for all available prescription  
19 drug assistance programs;

20 (D) Coordinating various prescription drug assistance programs;

21 (E) Evaluating outcome data provided by GeorgiaCares to make policy  
22 recommendations to the General Assembly;

23 (F) Identifying gaps in prescription drug coverage and programs designed to assist  
24 seniors in obtaining prescription medications; and

25 (G) Assessing the experiences of seniors in obtaining prescription drugs at affordable  
26 costs with various coverages.

27 (2) The advisory committee on seniors and prescription drug costs shall consist of 13  
28 members. The director of the Division of Aging Services of the Department of Human  
29 Resources shall appoint one member of a nonprofit organization that advocates for  
30 seniors, one senior consumer, one representative of the pharmaceutical industry, one  
31 representative of the Georgia Council on Aging, one representative of GeorgiaCares, one  
32 representative from the State Health Insurance Assistance Program, and one  
33 representative of the area agencies on aging. In addition, the Speaker of the House of  
34 Representatives shall appoint two members from the House of Representatives and a  
35 physician specializing in gerontology, and the President of the Senate shall appoint two  
36 members from the Senate and a pharmacist to serve on the advisory committee. Members

1 of the committee shall be assisted by staff of the Division of Aging Services of the  
2 Department of Human Resources as the director of the division deems necessary.

3 (3) The members of the advisory committee on seniors and prescription drug costs shall  
4 serve without compensation but shall be reimbursed at the legal mileage rate for state  
5 employees for the use of a personal automobile while traveling to and from meetings of  
6 the advisory committee plus actual parking charges incurred while attending any such  
7 meetings.

8 (4) The advisory committee on seniors and prescription drug costs shall meet as often  
9 as necessary to study and collect the information necessary and provide reports to the  
10 General Assembly and Governor on July 1, 2005, and July 1, 2007, and to develop and  
11 make recommendations specified in paragraph (1) of this subsection.

12 (5) This Code section is automatically repealed effective July 1, 2010."

13

## **SECTION 2.**

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