

Senate Bill 75

By: Senators Seabaugh of the 28th, Smith of the 52nd, Hill of the 32nd, Carter of the 13th, Thomas of the 54th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-3-27 of the Official Code of Georgia Annotated, relating to
2 reports of awards under medical malpractice insurance policies, so as change certain
3 provisions relating to the types of awards that are reported; to amend Code Section 43-34-37
4 of the Official Code of Georgia Annotated, relating to the authority to refuse to license or
5 discipline a physician, investigation, and enforcement, so as to change provisions relating to
6 investigations of certain matters; to provide for definitions; to provide for additional
7 investigation and assessment under certain circumstances; to provide for implementation of
8 certain matters contingent upon funding; to provide for related matters; to provide for
9 effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Code Section 33-3-27 of the Official Code of Georgia Annotated, relating to reports of
13 awards under medical malpractice insurance policies, is amended by striking subsection (b)
14 and inserting in lieu thereof the following:

15 "(b) Every insurer providing medical malpractice insurance coverage in this state shall
16 notify in writing the Composite State Board of Medical Examiners when it pays a judgment
17 ~~in excess of \$10,000.00~~ or enters into an agreement to pay an amount ~~in excess of~~
18 ~~\$10,000.00~~ to settle a medical malpractice claim against a person authorized by law to
19 practice medicine in this state; ~~such~~. Such judgments or agreements shall be reported to the
20 board regardless of the dollar amount ~~if the records of the insurer establish that there have~~
21 ~~been two or more previous judgments against or settlements with a licensed physician~~
22 ~~which relate to the practice of medicine~~. Such notice shall be sent within 30 days after the
23 judgment has been paid or the agreement has been entered into by the parties involved in
24 the claim."

1 **SECTION 4.**

2 (a) Sections 1 and 2 of this Act shall become effective on July 1, 2005.

3 (b) Section 3 of this Act shall become effective only upon the effective date of a specific
4 appropriation of funds for the purposes of Section 3 of this Act as expressed in a line item
5 making specific reference to the full funding of Section 3 of this Act in an appropriations Act
6 enacted by the General Assembly.

7 **SECTION 5.**

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