

Senate Bill 536

By: Senators Miles of the 43rd and Jones of the 10th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the  
2 Department of Community Health, so as to provide for the submission of data relating to an  
3 individual's employer for applicants and their dependents receiving health care benefits  
4 under the state Medicaid program, PeachCare for Kids Program, or any other state funded  
5 or administered health care program; to provide that the Department of Community Health  
6 submit an annual report to the General Assembly regarding the data relating to the  
7 employers; to provide that the report shall be available to any member of the public upon  
8 request; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

10 Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the Department  
11 of Community Health, is amended by adding a new Code section to the end of such chapter  
12 to read as follows:

13 "31-5A-7.

14 (a) Any individual who files an application for health care benefits for himself or herself,  
15 or for his or her dependents under the state Medicaid program, PeachCare for Kids  
16 Program, or any other state funded or administered health care program and any individual  
17 requesting uncompensated care in a hospital shall identify his or her employer or  
18 employers. In the event such individual is unemployed, he or she shall identify the  
19 employer or employers of any adult who is responsible for providing all or some of the  
20 individual's support.

21 (b) The department shall collect such information and on or before October 1 of each year,  
22 the department shall transmit a report to the General Assembly which includes all  
23 employers identified pursuant to subsection (a) of this Code section who employ 25 or  
24 more public health care recipients. In determining whether an employer has 25 or more  
25 public health care recipients, the department shall include all public health care recipients  
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1 employed by the employer and its subsidiaries at all locations within the state. The report  
2 shall include each employer's name, address, the total number of each employer's  
3 employees and their dependents who are enrolled in each program included in subsection  
4 (a) of this Code section, and the total cost to this state in providing public health care  
5 benefits for such employees and their dependents. The report shall not include the name  
6 of any individual public health care recipient and shall be subject to privacy standards  
7 pursuant to the federal Health Insurance Portability and Accountability Act of 1996,  
8 P.L.104-191.

9 (c) The department shall make the report provided for in subsection (b) of this Code  
10 section available to any member of the public upon request and shall provide such  
11 information in accordance with Article 4 of Chapter 18 of Title 50, relating to open  
12 records."

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**SECTION 2.**

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