

Senate Bill 602

By: Senators Smith of the 52nd, Mullis of the 53rd, Kemp of the 46th, Stephens of the 27th and Hamrick of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated,
2 relating to powers and duties of the Department of Human Resources with respect to mental
3 health, so as to require the privatization of one or more state facilities for the treatment of
4 mental illness; to provide for contracts; to provide for requirements for the operation of the
5 treatment facility or facilities; to provide for the continued employment for current
6 employees; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to
10 powers and duties of the Department of Human Resources with respect to mental health, is
11 amended by adding a new Code section to the end of such article to read as follows:

12 "37-1-25.

13 (a) The department shall, through a request for proposals, privatize the West Central
14 Georgia Regional Hospital or one or more other state facilities for the treatment of mental
15 illness under the control and supervision of the department. The department shall begin
16 the implementation of such privatization no later than July 1, 2007.

17 (b) The department may enter into one or more contracts with a private provider, a
18 coalition of private providers, or another state agency to finance, design, and construct a
19 treatment facility having up to 350 beds and to operate all aspects of daily operations of
20 the facility. The department may subcontract any or all components of this procurement
21 to a statutorily established state entity that has successfully contracted with private
22 companies for the designing, financing, acquiring, leasing, constructing, and operating of
23 major privatized state facilities.

24 (c) The department and the contractor or contractors shall ensure that the treatment facility
25 or facilities are operated as a part of the total continuum of care for persons who are

1 mentally ill. Each contractor shall ensure that each treatment facility under its control
2 effectively treats persons who are mentally ill and assists them in returning to the
3 community as quickly as possible.

4 (d) Current employees of any treatment facility which is privatized pursuant to this Code
5 section shall be given first preference for continued employment by the contractor. The
6 department shall make reasonable efforts to find suitable job placements for employees
7 who wish to remain employed with the state."

8 **SECTION 2.**

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