

Senate Bill 639

By: Senators Whitehead, Sr. of the 24th, Thomas of the 54th and Goggans of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 34-9-205 of the Official Code of Georgia Annotated, relating to the
2 promulgation of a workers' compensation fee schedule, so as to require the promulgation of
3 standards for the exemption of medical providers from the workers' compensation fee
4 schedule; to require that certain kinds of medical services shall not be subject to any fee
5 schedule but shall be limited by usual, customary, and reasonable charge levels; to provide
6 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 Code Section 34-9-205, relating to the promulgation of a workers' compensation fee
10 schedule, is amended by adding a new subsection (d) to read as follows:

11 "(d) The board shall annually review all of the medical services to which any fee
12 schedule, published pursuant to subsection (b) of this Code section, applies and shall
13 annually promulgate written guidelines and standards pursuant to which the providers of
14 certain types of medical services, as designated in such guidelines and standards, may
15 apply for and receive an exemption from such fee schedule. Fee schedule exemptions
16 provided by the board shall not be limited to or based on the fact that a hospital or other
17 medical facility that provides only one type of medical service, such as free standing
18 rehabilitation or long-term acute care hospitals. The board shall promulgate written
19 guidelines which shall exempt from the fee schedule the hospitalization, and other
20 medical services, required by patients who have suffered certain designated types of
21 injuries so that the injuries so designated reflect a wide disparity of initial patient injury
22 acuity and a wide variance between the level of medical services required to treat such
23 patients such that ultimately the level of medical charges resulting from the care and
24 treatment of such patients may vary widely. Such exemptions shall be provided for, but
25 not necessarily limited to, all of the medical services required by patients who have
26 suffered head injuries, burn injuries, spinal injuries, injuries requiring lengthy periods of

1 rehabilitation, or other such injuries. Notwithstanding the fee schedule exemption
2 required as specified in this subsection, the level of charges to be paid to the providers
3 of such exempt care shall be limited to the usual, customary, and reasonable hospital
4 charge levels prevailing in this state for the treatment of injured persons having similar
5 injuries and requiring similar levels of medical services."

6 **SECTION 2.**

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