

House Bill 249

By: Representatives Stephens of the 164th, Channell of the 116th, Butler of the 18th, and Jackson of the 161st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to
2 exemptions from state health planning and development provisions, so as to provide findings
3 of the General Assembly; to provide an exemption for the development and offering of new
4 institutional health services by acute cancer hospitals with 50 or fewer beds that specialize
5 in advanced cancer treatment and that have a majority of their patients originating from
6 outside the State of Georgia; to require the provision of a certain amount of uncompensated
7 indigent care for the exemption to be applicable; to provide a definition of a certain term;
8 to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 The General Assembly finds that the purpose of cancer treatment hospitals is to permit
12 focused allocation of resources to one particular specialty that would serve a national or even
13 global population. By promoting acute care cancer treatment centers as described in this Act,
14 the State of Georgia can be promoted as a source of globally recognized advanced health care
15 services, which promotes economic development in the State of Georgia in general and
16 enhances the reputation of all health care providers in the State of Georgia.

17 style="text-align:center">**SECTION 2.**

18 Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions
19 from state health planning and development provisions, is revised in subsection (a) by
20 deleting "and" at the end of paragraph (15), replacing the period at the end of paragraph (16)
21 with "; and", and adding a new paragraph to read as follows:

22 "(17) New institutional health services and capital expenditures related thereto provided
23 by or on behalf of nonphysician owned acute care cancer treatment hospitals that have
24 a capacity of 50 or fewer beds and at least 65 percent of their annual patient base consists
25 of residents of states other than Georgia. In order for this exemption to be applicable, the

1 acute care cancer treatment hospital shall provide uncompensated indigent care which
2 meets or exceeds 3 percent of annual gross revenues of the hospital. As used in this
3 paragraph, 'acute care cancer treatment hospital' means an institution which is primarily
4 engaged in providing to inpatients and outpatients, by or under the supervision of
5 physicians, diagnostic services and therapeutic services for medical diagnosis, treatment,
6 and care of cancer or rehabilitation services for the rehabilitation from cancer. The term
7 'uncompensated indigent care' shall have the same meaning as in paragraph (6) of
8 subsection (a) of Code Section 31-6-40.2."

9 **SECTION 3.**

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