

House Bill 514

By: Representatives Butler of the 18th, Channell of the 116th, Ehrhart of the 36th, Cooper of the 41st, Stephens of the 164th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general
2 health provisions, so as to create a State Commission on Government Health Services
3 Reform; to provide for legislative intent; to provide for composition of the commission and
4 the commission's powers and duties; to provide for compensation of the members of the
5 commission; to provide for officers of the commission; to provide for a quorum for the
6 transaction of business; to provide for a final report; to provide for related matters; to provide
7 for automatic repeal on a certain date; to provide an effective date; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general health
12 provisions, is amended by adding a new article to read as follows:

13 style="text-align:center">"ARTICLE 3

14 31-1-30.

15 The General Assembly finds and declares that it is important to periodically assess the
16 structure and delivery of state services and agencies so that it may be determined if services
17 are properly delivered and agencies continue to meet their obligations to the citizens and
18 taxpayers of this state. The General Assembly further finds that access to quality health
19 care and a modern public health infrastructure are vital to the citizens of the State of
20 Georgia. Therefore, the General Assembly finds that it is in the best interest of this state
21 and its citizenry to undertake an evaluation of the structure and responsibilities of the
22 Department of Human Resources and the Department of Community Health, and to make
23 any recommendations regarding the reorganization thereof in order that the health and
24 well-being of Georgia's citizenry are protected.

1 31-1-31.

2 There is created a State Commission on Government Health Services Reform for the
3 purpose of determining whether the Department of Human Resources and the Department
4 of Community Health should be restructured so that health services, finance, and regulatory
5 oversight are under the sole purview of a single state agency at the department level, and
6 human services and welfare programs are under the purview of a single state agency at the
7 department level.

8 31-1-32

9 The State Commission on Government Health Services Reform shall be composed of 13
10 members. The Governor shall appoint three members and the Lieutenant Governor and the
11 Speaker of the House of Representatives shall each appoint four members, as each deems
12 advisable. The Lieutenant Governor and the Speaker of the House of Representatives shall
13 each appoint a cochairperson from among their designees, and each appointed
14 cochairperson shall appoint an additional member of the commission.

15 31-1-33.

16 (a) The commission shall hold meetings at the call of the cochairpersons.

17 (b) A quorum for transacting business shall be a majority of the members of the
18 commission.

19 (c) Any legislative members of the commission shall receive the allowances provided for
20 in Code Section 28-1-8. Citizen members shall receive a daily expense allowance in the
21 amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or
22 transportation allowance authorized for state employees. Any members of the commission
23 who are state officials, other than legislative members, and state employees shall receive
24 no compensation for their services on the commission, but they shall be reimbursed for
25 expenses incurred by them in the performance of their duties as members of the
26 commission in the same manner as they are reimbursed for expenses in their capacities as
27 state officials or employees. The funds necessary for the reimbursement of the expenses
28 of state officials, other than legislative members, and state employees shall come from
29 funds appropriated to or otherwise available to their respective departments. All other funds
30 necessary to carry out the provisions of this article shall come from funds appropriated to
31 the House of Representatives and the Senate.

32

33 31-1-34.

34 (a) The commission shall have the following duties:

- 1 (1) To study and evaluate the structure of the Department of Human Resources and the
2 Department of Community Health;
 - 3 (2) To review funding for the Department of Human Resources and the Department of
4 Community Health and the interrelation of the two agencies;
 - 5 (3) To evaluate the effectiveness of the Department of Human Resources and the
6 Department of Community Health in providing required health services;
 - 7 (4) To identify whether there are any deficiencies in the current provision of government
8 health services provided by the agencies;
 - 9 (5) To evaluate and take into consideration results of other states that have undertaken
10 similar restructurings and reforms;
 - 11 (6) To evaluate the impact of any reform or restructuring of the agencies;
 - 12 (7) To determine the effect of any reform or restructuring on federal relationships and
13 funding; and
 - 14 (8) To make recommendations for proposed legislation.
- 15 (b) The commission shall have the following powers:
- 16 (1) To evaluate the operations of the Department of Human Resources and the
17 Department of Community Health;
 - 18 (2) To audit the Department of Human Resources and the Department of Community
19 Health;
 - 20 (3) To request and receive data from and review the records of the Department of Human
21 Resources and the Department of Community Health, other appropriate agencies, and
22 health care facilities to the fullest extent allowed by state and federal law;
 - 23 (4) To accept public or private grants, devises, and bequests;
 - 24 (5) To enter into all contracts or agreements necessary or incidental to the performance
25 of its duties; and
 - 26 (6) To conduct studies, collect data, or take any other action the commission considers
27 necessary to fulfill its responsibilities.
- 28 (c) The commission shall be authorized to retain the services of auditors, attorneys,
29 financial consultants, health care experts, economists, and other individuals or firms as
30 determined appropriate by the commission.
- 31 (d) Staff support for the commission shall be provided by the Georgia General Assembly.
- 32 (e) The commission shall issue a final report which shall include proposed legislation, if
33 any, to the Governor and the General Assembly on or before December 31, 2007.

34 31-1-35.

35 The commission shall stand abolished and this article shall be repealed on December 31,
36 2007."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

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