

Senate Bill 435

By: Senators Thomas of the 54th, Balfour of the 9th, Williams of the 19th, Harbison of the 15th, Goggans of the 7th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Community Health, so as to enact the "Diabetes and Health Improvement Act
3 of 2010"; to provide legislative findings; to establish the Georgia Diabetes Control Office;
4 to provide for a board of trustees; to provide for the establishment of two grant programs to
5 promote a state-wide effort to combat the proliferation of diabetes; to provide for grant
6 criteria; to provide for staff; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The General Assembly finds that:

- 11 (1) Diabetes is a chronic disease caused by the inability of the pancreas to produce insulin
12 or to use the insulin produced in the proper way;
- 13 (2) If untreated and poorly managed, diabetes has been medically proven to lead to
14 blindness, kidney failure, amputation, heart attack, and stroke;
- 15 (3) Diabetes is the sixth leading cause of death in the United States, responsible for a
16 similar number of deaths each year as HIV/AIDS;
- 17 (4) In Georgia, the prevalence of diabetes is 8 percent higher than the nation as a whole;
- 18 (5) One out of three people with diabetes are not aware that they have the disease;
- 19 (6) Without aggressive societal action, the number of people living with diabetes in
20 Georgia will more than double to 1,697,000 people in the next 20 years, cutting life short
21 for these people by ten to 20 years; and
- 22 (7) Without aggressive societal action, the economic burden of diabetes on the State of
23 Georgia is expected to grow from \$5 billion each year to about \$11.9 billion in the next 20
24 years.

25 **SECTION 2.**

26 This Act shall be known and may be cited as the "Diabetes and Health Improvement Act of
27 2010."

28 **SECTION 3.**

29 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
30 of Community Health, is amended by adding a new Code section to read as follows:

31 "31-2-17.1.

32 (a) There is established within the department's Division of Public Health the Georgia
33 Diabetes Control Office. The purpose of the office shall be to develop, implement, and
34 promote a state-wide effort to combat the proliferation of Type 1 diabetes, Type 2 diabetes,
35 and pre-diabetes.

36 (b) The office shall be under the direction of a six-member board of trustees, appointed by
37 the Governor. The Governor, in making such appointments, shall ensure to the greatest
38 extent possible that the membership of the board is representative of this state's geographic
39 and demographic composition, with appropriate attention to the representation of women
40 and minorities. The appointments made by the Governor shall include one member who
41 is:

42 (1) A physician licensed in this state;

43 (2) A registered nurse licensed in this state;

44 (3) A dietician licensed in this state;

45 (4) A diabetes educator;

46 (5) A pharmacist licensed in this state; and

47 (6) A representative of the business community.

48 The commissioner of the Department of Community Health, or his or her designee, and the
49 chairpersons of the Senate Education and Youth Committee, House Committee on
50 Education, Senate Health and Human Services Committee, and the House Committee on
51 Health and Human Services shall serve as ex officio, nonvoting members of the board.
52 Appointed trustees shall be named for five-year terms staggered so that one term will
53 expire each year, except for the fifth year, when two terms will expire. Their successors
54 shall be named for five-year terms.

55 (c) Subject to appropriations for such purposes, the office shall be authorized to administer
56 two grant programs targeted at new, expanded, or innovative approaches to address
57 diabetes as follows:

58 (1) A program to provide grants to high schools to promote the understanding and
59 prevention of diabetes may be established by the office. Such grants shall be provided
60 through the appropriate local board of education. Grant requests shall contain specific

61 information regarding requirements as to how the grant should be spent and how such
62 spending promotes the understanding and prevention of diabetes. Grant recipients shall
63 be required to provide the office with quarterly reports of the results of the grant program;
64 and

65 (2) A program to provide grants to health care providers for education, prevention, and
66 treatment of pre-diabetes and diabetes may be established by the office. Such grants shall
67 be provided to primary and specialty health care providers which provide treatment for
68 pre-diabetes and diabetes. Eligible entities shall include community and faith based
69 clinics and other organizations, federally qualified health centers, regional and county
70 health departments, hospitals, and other public entities, and other health related service
71 providers which are qualified as exempt from taxation under the provisions of Section
72 501(c)(3) of the Internal Revenue Code of 1986. Such entities shall have been in
73 existence for at least three years, demonstrate financial stability, utilize evidence based
74 practices, and show measurable results in their programs.

75 (d) The board of trustees shall establish grant criteria and make award decisions, with the
76 goal of creating a state-wide set of resources to assist residents of Georgia in their efforts
77 to prevent or treat diabetes. Grants shall not be used for funding existing programs.

78 (e) The office shall be under the direction of the diabetes coordinator appointed pursuant
79 to Code Section 31-2-17. The department shall provide sufficient staff, administrative
80 support, and such other resources as may be necessary for the diabetes coordinator to carry
81 out the duties required by this Code section."

82 **SECTION 4.**

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