

Senate Bill 443

By: Senators Smith of the 52nd, Hawkins of the 49th, Thomas of the 54th, Unterman of the 45th, Mullis of the 53rd and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 21A of Title 33 of the Official Code of Georgia Annotated, relating to the
 2 "Medicaid Care Management Organizations Act," so as to create the Medicaid Care
 3 Management Organization Legislative Oversight Committee; to provide for its membership,
 4 terms, and meetings; to provide for its duties; to provide for cooperation with other agencies;
 5 to provide for an annual report; to provide for expenses for members; to provide for an audit;
 6 to provide for an effective date; to provide for related matters; to repeal conflicting laws; and
 7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 21A of Title 33 of the Official Code of Georgia Annotated, relating to the "Medicaid
 11 Care Management Organizations Act," is amended by adding a new Code section to read as
 12 follows:

13 "33-21A-13.

14 (a) There is created the Medicaid Care Management Organization Legislative Oversight
 15 Committee which shall be composed of eight persons: three members of the House of
 16 Representatives appointed by the Speaker of the House of Representatives, three members
 17 of the Senate appointed by the Lieutenant Governor, and one member of the House of
 18 Representatives and one member of the Senate appointed by the Governor. The members
 19 of the committee shall be selected within ten days after the convening of the General
 20 Assembly in each odd-numbered year and shall serve until their successors are appointed.

21 (b) The Lieutenant Governor shall appoint a member of the committee to serve as
 22 chairperson, and the Speaker of the House of Representatives shall appoint one member
 23 to serve as vice chairperson during each odd-numbered year. The Speaker of the House
 24 of Representatives shall appoint a member of the committee to serve as chairperson, and
 25 the Lieutenant Governor shall appoint one member of the committee to serve as vice
 26 chairperson during each even-numbered year. The committee shall meet at least three

27 times each year and, upon the call of the chairperson, at such additional times as deemed
28 necessary by the chairperson.

29 (c) It shall be the duty of the committee to review and evaluate:

30 (1) Information relating to consumer complaints involving eligibility determinations;

31 (2) Information relating to provider complaints involving payment or coverage issues;

32 (3) Information relating to a care management organization's compliance with contract
33 terms, including timeframes and deadlines;

34 (4) Information relating to a care management organization's compliance with statutory
35 and regulatory requirements; and

36 (5) Such other information or reports as deemed necessary by the committee.

37 (d) The Department of Community Health and the Department of Insurance shall
38 cooperate with the committee and provide such information or reports as requested by the
39 committee for the performance of its functions.

40 (e) The committee shall make an annual report of its activities and findings to the
41 membership of the General Assembly and the Governor within one week of the convening
42 of each regular session of the General Assembly. The chairperson of the committee shall
43 deliver written executive summaries of such report to the members of the General
44 Assembly prior to the adoption of the General Appropriations Act each year.

45 (f) The members of the committee shall receive the allowances authorized for legislative
46 members of legislative committees. The funds necessary to pay such allowances shall
47 come from funds appropriated to the House of Representatives and the Senate.

48 (g) The committee shall be authorized to request that a performance audit of the services
49 provided by care management organizations for Medicaid and PeachCare for Kids be
50 conducted."

51 **SECTION 2.**

52 This Act shall become effective on January 1, 2011.

53 **SECTION 3.**

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