

Senate Bill 133

By: Senators Hawkins of the 49th, Goggans of the 7th, Thomas of the 54th, Williams of the 19th, Hooks of the 14th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 8 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated,
2 relating to the "'Health Share' Volunteers in Medicine Act," so as to provide for certain
3 compensation that may be received by a health care provider for purposes of sovereign
4 immunity protection; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 8 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the
9 "'Health Share' Volunteers in Medicine Act," is amended in Code Section 31-8-192, relating
10 to definitions, by revising paragraph (1) and adding a new paragraph as follows:

11 "(1) 'Contract' means an agreement executed in compliance with this article between a
12 health care provider and a governmental contractor. This contract shall allow the health
13 care provider to deliver health care services to low-income recipients as an agent of the
14 governmental contractor. The contract must be for volunteer, uncompensated services.
15 Payments made to a health care provider from the Indigent Care Trust Fund shall not
16 constitute compensation under this article. Payments made to a health care provider who
17 is an individual staff member of a medical facility, a safety net clinic, or other health care
18 provider shall not constitute compensation under this article if such individual health care
19 provider's total compensation package, including all cash and noncash remunerations,
20 does not fluctuate in relation to the number of patients served, patient visits, or treatments
21 or any other factor relating to the number of patient contacts or services rendered and the
22 individual health care provider or his or her employing medical facility, safety net clinic,
23 or other health care provider does not receive compensation from any public or private
24 third-party payor, including medicare, Medicaid, and private insurers, for the specific
25 services provided to the low-income recipients covered by the contract."

26 “(9.1) 'Safety net clinic' means a health care clinic which provides primary care
27 outpatient services only, such as chronic disease management and vaccinations, and
28 which does not provide care or services which are considered to be primarily emergency
29 care and services but which provides an alternative to emergency room visits for
30 low-income patients for nonemergency medical services at no cost or on a sliding scale
31 basis to the patient or a dental clinic which meets requirements established by the
32 department; provided, however, that this term shall not include federally qualified health
33 centers as defined in Section 1395x(aa)(4) of Title 42 of the United States Code
34 Annotated.”

35 **SECTION 2.**

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