

The Senate Health and Human Services Committee offered the following substitute to SB 133:

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:

SECTION 1.

7 Article 8 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the
8 "'Health Share' Volunteers in Medicine Act," is amended in Code Section 31-8-192, relating
9 to definitions, by revising paragraph (1) as follows:
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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 safety net clinic shall not constitute compensation
18 under this article if such individual health care provider's total compensation package,
19 including all cash and noncash remunerations, does not fluctuate in relation to the number
20 of patients served, patient visits, or treatments or any other factor relating to the number
21 of patient contacts or services rendered and the individual health care provider or his or
22 her employing safety net clinic does not receive compensation from any public or private
23 third-party payor, including medicare, Medicaid, and private insurers, for the specific
24 services provided to the low-income recipients covered by the contract."

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SECTION 2.

Said article is further amended in Code Section 31-8-192, relating to definitions, by adding a new subsection to read as follows:

“(9.1) ‘Safety net clinic’ means a health care clinic which provides primary care outpatient services only, such as chronic disease management, vaccinations, and dental care, and which does not provide care or services which are considered to be primarily emergency care and services but which provides an alternative to emergency room visits for low-income patients for nonemergency medical services and which meets requirements established by the department; provided, however, that this term shall not include federally qualified health centers as defined in Section 1395x(aa)(4) of Title 42 of the United States Code Annotated.”

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SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.