

Senate Bill 165

By: Senators Goggans of the 7th, Williams of the 19th, Hill of the 4th and Hawkins of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 49 of the Official Code of Georgia Annotated, relating to social services, so
2 as to authorize the Department of Community Health to obtain income eligibility verification
3 from the Department of Revenue for applicants for Medicaid and the PeachCare for Kids
4 Program; to provide for related matters; to provide for an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
9 in Code Section 49-4-146.1, relating to unlawful acts, violations and penalties, recovery of
10 excess amounts, termination and reinstatement of providers, and the duty of the department
11 to identify and investigate violations and notify proper authorities under the Medicaid
12 program, by adding a new subsection to read as follows:

13 "(j) As necessary to enforce the provisions of this article, the department or its duly
14 authorized agents shall submit to the state revenue commissioner the names of applicants
15 for medical assistance or other benefits or payments provided under this article, as well as
16 the relevant income threshold specified therein. The state revenue commissioner and his
17 or her agents or employees shall notify the department whether or not each submitted
18 applicant's income exceeds the relevant income threshold provided. The department shall
19 pay the state revenue commissioner for all costs incurred by the Department of Revenue
20 pursuant to this subsection. No information shall be provided by the Department of
21 Revenue to the department without an executed cooperative agreement between the two
22 departments. Any tax information secured from the federal government by the Department
23 of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code
24 may not be disclosed by the Department of Revenue pursuant to this subsection. Any
25 person receiving any tax information under the authority of this subsection is subject to the

26 provisions of Code Section 48-7-60 and to all penalties provided under Code Section
27 48-7-61 for unlawful divulging of confidential tax information."

28 **SECTION 2.**

29 Said title is further amended in Code Section 49-5-273, relating to the creation of the
30 PeachCare for Kids Program, by adding a new subsection to read as follows:

31 "(o) As necessary to enforce the provisions of this article, the department or its duly
32 authorized agents shall submit to the state revenue commissioner the names of applicants
33 for medical assistance or other benefits or payments provided under this article, as well as
34 the relevant income threshold specified therein. The state revenue commissioner and his
35 or her agents or employees shall notify the department whether or not each submitted
36 applicant's income exceeds the relevant income threshold provided. The department shall
37 pay the state revenue commissioner for all costs incurred by the Department of Revenue
38 pursuant to this subsection. No information shall be provided by the Department of
39 Revenue to the department without an executed cooperative agreement between the two
40 departments. Any tax information secured from the federal government by the Department
41 of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code
42 may not be disclosed by the Department of Revenue pursuant to this subsection. Any
43 person receiving any tax information under the authority of this subsection is subject to the
44 provisions of Code Section 48-7-60 and to all penalties provided under Code Section
45 48-7-61 for unlawful divulging of confidential tax information."

46 **SECTION 3.**

47 This Act shall become effective on January 1, 2010.

48 **SECTION 4.**

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