

The House Committee on Health and Human Services offers the following substitute to HB 350:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 42-5-2 of the Official Code of Georgia Annotated, relating to
2 responsibilities of a governmental unit with custody of an inmate generally, costs of
3 emergency and follow-up care, and access to medical services or hospital care for inmates,
4 so as to provide conditions for claiming exemptions by hospital authorities that provide
5 emergency health care services to inmates; to provide for related matters; to provide an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 42-5-2 of the Official Code of Georgia Annotated, relating to responsibilities
10 of a governmental unit with custody of an inmate generally, costs of emergency and
11 follow-up care, and access to medical services or hospital care for inmates, is amended by
12 adding a new subsection to read as follows:

13 "(c) As a condition for claiming an exemption pursuant to paragraph (6) of Code Section
14 48-8-3, a hospital not under contract with the department, created pursuant to Article 4 of
15 Chapter 7 of Title 31, and organized pursuant to Section 501(c) of the federal Internal
16 Revenue Code that provides emergent health care services to a state inmate shall:

17 (1) Charge an amount not to exceed the applicable Georgia Medicaid rate for such
18 services;

19 (2) Treat the emergent condition wholly and completely such that any reasonably
20 apparent injuries associated with the condition are also treated; and

21 (3) Not discharge a state inmate with an emergent condition so as to require an
22 immediate transfer to another provider for the same condition unless the standard of care
23 would require a transfer.

24 For purposes of this subsection, the term 'state inmate' means any inmate for whom the
25 department shall be responsible for the payment of medical care thereof. Nothing in this

26 Code section shall prohibit the department from negotiating fees or rates with health care
27 providers."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.