

House Bill 350 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Martin of the 47th and Barnard of the 166th

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 hospitals that provide emergency
5 health care services to inmates; to provide for related matters; to provide an effective date;
6 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) A hospital or other health care facility licensed or established pursuant to Chapter 7
14 of Title 31 that provides emergent health care services to a state inmate, and which is not
15 a party to a contract with the department, shall:

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

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

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

23 For purposes of this subsection, the term 'state inmate' means any inmate for whom the
24 department shall be responsible for the payment of medical care thereof. Nothing in this
25 Code section shall prohibit the department from negotiating fees or rates with health care
26 providers."

27 **SECTION 2.**

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

30 **SECTION 3.**

31 All laws and parts of laws in conflict with this Act are repealed.