

Senate Bill 165

By: Senators Goggans of the 7th, Williams of the 19th, Hill of the 4th, Hawkins of the 49th and Hill of the 32nd

**AS PASSED**

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 may 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. If the department elects to contract with  
17 the state revenue commissioner for such purposes, the state revenue commissioner and his  
18 or her agents or employees shall notify the department whether or not each submitted  
19 applicant's income exceeds the relevant income threshold provided. The department shall  
20 pay the state revenue commissioner for all costs incurred by the Department of Revenue  
21 pursuant to this subsection. No information shall be provided by the Department of  
22 Revenue to the department without an executed cooperative agreement between the two  
23 departments. Any tax information secured from the federal government by the Department  
24 of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code  
25 may not be disclosed by the Department of Revenue pursuant to this subsection. Any  
26 person receiving any tax information under the authority of this subsection is subject to the

27 provisions of Code Section 48-7-60 and to all penalties provided under Code Section  
28 48-7-61 for unlawful divulging of confidential tax information."

29 **SECTION 2.**

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

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

48 **SECTION 3.**

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

50 **SECTION 4.**

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