

House Bill 147

By: Representatives Watson of the 163rd, Cooper of the 41st, Ramsey of the 72nd, Hatchett of the 143rd, and Pak of the 102nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34A of Title 43 of the Official Code of Georgia Annotated, the "Patient
2 Right to Know Act of 2001," so as to include information as to whether a physician has
3 medical malpractice insurance as part of the physician profile; to provide that a patient has
4 the right to inquire as to whether the physician carries medical malpractice insurance; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 34A of Title 43 of the Official Code of Georgia Annotated, the "Patient Right to
9 Know Act of 2001," is amended by revising Code Section 43-34A-3, relating to physician
10 profiles, dissemination to public, content and maintenance requirements, corrections,
11 judgments prior to April 11, 2001, sealed judgments, arbitration awards, and settlements
12 prohibited, by adding a new paragraph to subsection (c), to read as follows:

13 "(10.1) Whether carrying any medical malpractice insurance;"

14 **SECTION 2.**

15 Said chapter is further amended by revising Code Section 43-34A-5, relating to the
16 estimation of fees and collection of payment prior to rendering of services, as follows:

17 "43-34A-5.

18 A patient has the right to inquire as to whether the physician carries medical malpractice
19 insurance and as to the estimated charges for a routine office visit, routine treatments, and
20 lab tests prior to receiving such treatment. When asked for such information, the physician
21 or other authorized personnel shall give such information freely and without reservation
22 or evasion. Violation of this right should be reported immediately to the board. Physicians
23 are not responsible for ascertaining the details of the patient's insurance coverage and
24 explaining such information to the patient. A physician may require the payment of his or

25 her fee or any applicable copayment in advance of delivering professional services unless
26 otherwise prohibited by law."

27 **SECTION 3.**

28 All laws and parts of laws in conflict with this Act are repealed.