

House Bill 644

By: Representatives Bell of the 58th and Abrams of the 84th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 enact the "Commission to Implement the Patient Protection and Affordable Care Act"; to
3 provide for legislative findings and intent; to provide for definitions; to establish the
4 Commission to Implement the Patient Protection and Affordable Care Act; to provide for its
5 composition and powers; to provide for advisory councils; to provide for duties of the
6 commission; to provide for automatic repeal on a certain date; to provide for related matters;
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding
11 a new chapter to read as follows:

12 "CHAPTER 48

13 31-48-1.

14 This chapter shall be known and may be cited as the 'Commission to Implement the Patient
15 Protection and Affordable Care Act.'

16 31-48-2.

17 The General Assembly finds and declares that:

- 18 (1) The federal Patient Protection and Affordable Care Act (ACA) (Public Law 111-148)
19 was enacted into law on March 23, 2010, and was amended by the federal Health Care
20 and Education Reconciliation Act of 2010 (Public Law 111-152) on March 30, 2010; and
21 (2) Given the complexity of the duties and options this federal law sets before the states,
22 it is the intent of the General Assembly to create a commission to assist in implementing

23 this federal law to plan, execute, and coordinate federal health reform in this state in
 24 accordance with the federal law and regulations adopted pursuant thereto and to develop
 25 and propose pertinent recommendations for the consideration of state agencies,
 26 policymakers, health care providers, and consumers in this state.

27 31-48-3.

28 As used in this chapter, the term:

29 (1) 'ACA' means the federal Patient Protection and Affordable Care Act (Public Law
 30 111-148), as amended by the federal Health Care and Education Reconciliation Act of
 31 2010 (Public Law 111-152), and any regulations or guidance issued under such Acts.

32 (2) 'Commission' means the Commission to Implement the Patient Protection and
 33 Affordable Care Act established pursuant to Code Section 31-48-4.

34 31-48-4.

35 (a) There is established the Commission to Implement the Patient Protection and
 36 Affordable Care Act, which shall coordinate with the Department of Community Health
 37 and the Department of Insurance to adopt a cohesive, strategic, transparent approach to
 38 implementing federal health reform in accordance with the provisions of ACA and to make
 39 recommendations as to how federal grants and state revenue are expended in the
 40 implementation of federal health reform in this state.

41 (b) The commission shall consist of 11 members, as follows:

42 (1) The Commissioner of Insurance, or his or her designee, as an ex officio member;

43 (2) The commissioner of community health, or his or her designee, as an ex officio
 44 member;

45 (3) The commissioner of human services, or his or her designee, as an ex officio
 46 member;

47 (4) One representative from the Governor's office, as designated by the Governor;

48 (5) Two consumer representatives, appointed by the Governor;

49 (6) One health policy expert associated with a state educational institution, appointed by
 50 the Governor;

51 (7) One primary care physician, appointed by the Governor;

52 (8) One hospital representative, appointed by the Governor;

53 (9) One member of the House of Representatives, appointed by the Speaker of the House
 54 of Representatives; and

55 (10) One member of the Senate, appointed by the Lieutenant Governor.

56 In making such appointments, the appointing authorities shall make good efforts to include
 57 racial and ethnic diversity.

58 (c) The commission shall be authorized to establish and provide for the organization and
 59 duties of such interim or standing committees as it may deem necessary in the performance
 60 of its powers, duties, and functions. Such committees shall only be authorized to
 61 investigate or to consider, and to report their findings or recommendations to the
 62 commission, upon such matter or matters as the commission shall prescribe and shall not
 63 be authorized to take any binding action for or on behalf of the commission.

64 (d) The commission shall be authorized to provide for the creation of one or more advisory
 65 councils as it may determine to be needful or helpful in the performance of its duties and
 66 functions under this chapter. Such advisory councils may include experienced grant writers,
 67 medical professionals, community health providers, nonprofit organizations, consumer
 68 groups, health policy experts, and business groups.

69 (e) The commission shall hold monthly public meetings, the date, time, and place of which
 70 shall be posted no less than one week in advance of the meeting. The meetings shall be
 71 held after traditional work hours to provide a forum open to the general public and allow
 72 for public comment. The purpose of these meetings shall to be to insure transparency and
 73 input from all those affected by ACA throughout the implementation process. Minutes
 74 shall be kept and made available online and posted within one week of the meeting.

75 (f) The commission is assigned to the Department of Community Health for administrative
 76 purposes only, as prescribed in Code Section 50-4-3.

77 31-48-5.

78 The commission shall serve as an advisory body for the implementation of ACA in this
 79 state. The commission shall be authorized and directed to:

80 (1) Develop a strategic plan and timetable for the implementation of federal health care
 81 reform in Georgia pursuant to ACA to ensure that this state benefits to the maximum
 82 extent practicable from the provisions of ACA;

83 (2) In consultation with the Department of Insurance, review applicable state law to
 84 assess the state's ability to implement and take advantage of opportunities offered by
 85 ACA;

86 (3) Make recommendations to key state agencies on outreach and education efforts and
 87 provide ongoing status reports to the General Assembly, appropriate state officials, and
 88 the public on progress in implementing health reform activities pursuant to ACA and
 89 keep the public informed as to policy changes and other reforms;

- 90 (4) Consult with and engage appropriate state agencies in accordance with provisions of
91 ACA with a focus on improving capacity and establishing protocol, including conducting
92 research on the system impact of increased Medicaid enrollment and a financial analysis
93 of Medicaid expansion;
94 (5) Inform state agencies of federal activities and review federal regulations, bulletins,
95 and other information about interpretation of ACA provisions;
96 (6) Work with the Department of Insurance to develop recommendations for the design
97 and implementation of the health insurance exchange in conformity with the requirements
98 established by ACA, including whether to designate a state agency or a nonprofit entity
99 to house the exchange; and
100 (7) Analyze whether all requirements of ACA are timely met and make
101 recommendations to appropriate state officials if any such timelines are not met.

102 31-48-6.

103 The commission shall stand abolished and this chapter shall be repealed on December 31,
104 2014."

105 **SECTION 2.**

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

108 **SECTION 3.**

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