

The House Committee on Health and Human Services offers the following substitute to SB 506:

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the care and protection of indigent and elderly patients, so as to enact the "Volunteer Health Care Services Act"; to provide for legislative findings; to provide for definitions; to provide for the voluntary provision of health care services; to provide for the registration of sponsoring organizations; to provide for revocation of registration; to provide for certain prohibitions in insurance contracts; to provide for related matters; to repeal conflicting laws; and other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the care and protection of indigent and elderly patients, is amended by adding at the end thereof a new article to read as follows:

"ARTICLE 9

31-8-210.

This article shall be known and may be cited as the 'Volunteer Health Care Services Act.'

31-8-211.

(a) The General Assembly finds that:

(1) Access to high quality health care services is a concern of all persons;

(2) Access to such services is severely limited for some residents of this state, particularly those who reside in remote, rural areas or in the inner city;

(3) Physicians and other health care professionals have traditionally worked to assure broad access to health care services; and

(4) Many health care providers from Georgia and elsewhere are willing to volunteer their services to address the health care needs of Georgians who may otherwise not be able to obtain such services.

(b) The General Assembly further finds that it is the public policy of this state to encourage and facilitate the voluntary provision of health care services.

31-8-212.

As used in this article, the term:

(1) 'Health care provider' or 'provider' means any physician, surgeon, dentist, nurse, optometrist, or other practitioner of a health care discipline the professional practice of which requires licensure or certification under the provisions of Title 43 or of Chapter 4 of Title 26 or under a comparable provision of law of another state, territory, district, or possession of the United States.

(2) 'Licensed health care provider' means any health care provider holding a current license or certificate issued under:

(A) Title 43; or

(B) A comparable provision of the law of another state, territory, district, or possession of the United States.

(3) 'Regularly practice' means to practice for more than 60 days within any 90 day period.

(4) 'Sponsoring organization' means any organization that organizes or arranges for the voluntary provision of health care services and which registers with the department as a sponsoring organization; provided, however, that any such organization that does not have direct contact with the participating health care providers shall not be considered a sponsoring organization.

(5) 'Voluntary provision of health care services' means providing the professional services of a health care provider, in association with a sponsoring organization, without charge to the recipient of such services or to a third party on behalf of a recipient.

31-8-213.

(a) Notwithstanding any provision of law to the contrary, no additional license or certificate shall be necessary for the voluntary provision of health care services by any health care provider who:

(1) Is a duly licensed health care provider; or

(2) Lawfully practices under an exception to the licensure or certification requirements of any state, territory, district, or possession of the United States; provided, however, that the person does not and will not regularly practice in the State of Georgia.

(b) The provisions of subsection (a) of this Code section shall not apply to any person whose license or certificate is suspended or revoked pursuant to disciplinary proceedings in any jurisdiction. Furthermore, the provisions of subsection (a) of this Code section shall not apply to a health care provider who renders services outside the scope of practice authorized by his or her licensure, certification, or exception to such licensure or certification.

31-8-214.

(a) Before providing volunteer health care services in this state, a sponsoring organization shall register with the department by submitting a registration fee of \$50.00 and filing a registration form that contains:

(1) The name of the sponsoring organization;

(2) The name of the principal individual or individuals who are the officers or organizational officials responsible for the operation of the sponsoring organization;

(3) The address, including street, city, ZIP Code, and county, of the sponsoring organization's principal office and the same address information for each principal or official listed in paragraph (2) of this subsection;

(4) The telephone numbers for the principal office of the sponsoring agency and each principal or official listed in paragraph (2) of this subsection; and

(5) Such additional information as the department shall require.

Upon any change in the information required under this subsection, the sponsoring organization shall notify the department in writing of such change within 30 days of its occurrence.

(b) Each sponsoring organization shall maintain a list of health care providers associated with its voluntary provision of health care services. For each such health care provider, the organization shall maintain a copy of a current license, certificate, or statement of exemption from licensure or certification and shall further require each health care provider to attest in writing that his or her license or certificate is not suspended or revoked pursuant to disciplinary proceedings in any jurisdiction.

(c) No later than three days prior to any voluntary provision of health care services by a sponsoring organization registered under subsection (a) of this Code section, the sponsoring organization shall file with the department a voluntary health care services report containing the date, place, type, and general description of services to be provided, together with a listing of all health care providers who are to participate in the voluntary provision of health care services. Submission of such information by electronic means shall be sufficient to satisfy the requirements of this Code section but shall not be required. The department shall confirm the licensure status of each health care provider scheduled

to participate in the provision of such services and shall forward a listing of such providers, including their individual licensure status, to the applicable licensing board prior to the provision of such services.

(d) The sponsoring organization shall maintain the records described in subsection (b) of this Code section for a period of at least five years following the voluntary provision of health care services and shall furnish such records upon request to any regulatory board licensing or certifying health care providers in this state.

(e) Compliance with subsections (a) and (c) of this Code section shall be prima-facie evidence that the sponsoring organization has exercised due care in its selection of health care providers.

31-8-215.

The department may revoke the registration of any sponsoring organization that fails to comply with the requirements of Code Section 31-8-214. Any such revocation shall be conducted in accordance with the procedure for contested cases under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

31-8-216.

No contract of professional liability insurance covering a health care provider in this state, issued or renewed on or after the effective date of this article, shall exclude coverage to any provider who engages in the voluntary provision of health care services, provided the sponsoring organization and the health care provider comply with the requirements of this article."

## **SECTION 2.**

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