

Senate Bill 352

By: Senators Unterman of the 45th, Butler of the 55th and Millar of the 40th

**AS PASSED SENATE**

**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 create the Georgia Council on Lupus Education and Awareness; to provide for legislative  
3 findings; to provide for assignment to the Department of Community Health; to provide for  
4 membership; to provide for terms of office; to provide for duties and responsibilities; to  
5 provide for a directory; to provide for reporting; to provide for related matters; to repeal  
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

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

11 "CHAPTER 49

12 31-49-1.

13 The General Assembly finds and declares that it is estimated that as many as 55,000  
14 Georgia residents suffer from lupus, a life-long autoimmune disease in which the immune  
15 system becomes unbalanced, causing inflammation, tissue damage, seizures, strokes, heart  
16 attacks, miscarriages, and organ failure. Although anyone can develop lupus, it strikes  
17 mostly women of childbearing age; African American, Hispanic, Asian, and Native  
18 American women are two to three times more likely than Caucasians to develop lupus.  
19 Lupus can be difficult to diagnose and often is misdiagnosed because the symptoms are  
20 similar to those of other illnesses. It is in the public interest for this state to establish an  
21 entity to develop and implement a comprehensive program to improve education and  
22 awareness about lupus for health care providers and the general public.

23 31-49-2.

24 (a) There is created the Georgia Council on Lupus Education and Awareness within the  
25 Department of Community Health.

26 (b) The council shall consist of six members as follows:

27 (1) The commissioner of community health, or the commissioner's designee, as an ex  
28 officio member;

29 (2) Three members to be appointed by the Governor. The Governor shall appoint two  
30 members to serve for one year and one to serve for two years. Thereafter, successors to  
31 such initial appointees shall serve for two years. Of these three members, one shall be  
32 a physician who treats patients with lupus and one shall be a lupus patient;

33 (3) One member to be appointed by the Speaker of the House of Representatives to serve  
34 for two years; and

35 (4) One member to be appointed by the Lieutenant Governor to serve for two years;

36 (c) All vacancies on the council shall be filled for the balance of the unexpired term in the  
37 same manner as the original appointment. A member of the council shall be eligible for  
38 reappointment.

39 (d) The members of the council shall serve without compensation but may be reimbursed  
40 for any expenses incurred by them in the performance of their duties, subject to the  
41 availability of funds.

42 (e) The council shall organize as soon as practicable after the appointment of its members  
43 and shall select a chairperson from among its members.

44 31-49-3.

45 (a) The council shall have the following duties and responsibilities:

46 (1) To initially investigate the level of education concerning lupus in this state; and

47 (2) Based on the results of its initial investigation pursuant to paragraph (1) of this Code  
48 section, to develop information on lupus endorsed by government agencies, including,  
49 but not limited to, the National Institutes of Health and the Centers for Disease Control  
50 and Prevention.

51 (b) The council shall develop a directory of lupus related health care services, which shall  
52 be made available on the department's website and shall include a list of health care  
53 providers specializing in the diagnosis and treatment of lupus.

54 31-49-4.

55 (a) The department shall post the information developed by the council pursuant to  
56 paragraph (2) of subsection (a) of Code Section 31-49-3 on its website.

57 (b) Subject to appropriations or access to other private or public funds, the department may  
58 distribute such information to individuals with lupus, their family members, health care  
59 professionals, hospitals, local health departments, schools, agencies on aging, employers,  
60 health plans, women's health groups, and nonprofit and community based organizations.

61 31-49-5.

62 The council shall prepare annually a complete and detailed report to be submitted to the  
63 Governor, the chairperson of the House Committee on Health and Human Services, and the  
64 chairperson of the Senate Health and Human Services Committee detailing the activities of  
65 the council and may include any recommendations for legislative action it deems appropriate.

66 31-49-6.

67 The council may solicit and accept donations, gifts, grants, property, or matching funds from  
68 any public or private source for the use of the council in performing its functions under this  
69 chapter."

70

## **SECTION 2.**

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