

House Bill 183

By: Representatives Knight of the 130th, Petrea of the 166th, Peake of the 141st, Dempsey of the 13th, Randall of the 142nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to private home care providers, so as to revise the definition of private home care
3 provider to include contractual arrangements with licensed independent contractors; to revise
4 exempt services; to provide for a short title; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Home Care Patient Protection Act."

9 **SECTION 2.**

10 Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
11 private home care providers, is amended by revising paragraph (4) of Code Section 31-7-300,
12 relating to definitions, as follows:

13 "(4) 'Private home care provider' means any person, business entity, corporation, or
14 association, whether operated for profit or not for profit, that directly provides or makes
15 provision for private home care services through:

16 (A) Its own employees or agents;

17 (B) Contractual arrangements with licensed independent contractors; or

18 (C) Referral of other persons to render home care services, when the individual making
19 the referral has ownership or financial interest in the delivery of those services by those
20 other persons who would deliver those services."

21 **SECTION 3.**

22 Said article is further amended by revising paragraph (1) of Code Section 31-7-305, relating
23 to exempt services, as follows:

24 "(1) When those services are provided directly by an individual, either with or without
25 compensation, and not by agents or employees of the individual and not through licensed
26 independent contractors or referral arrangements made by an individual who has
27 ownership or financial interest in the delivery of those services by others who would
28 deliver those services;"

29 **SECTION 4.**

30 All laws and parts of laws in conflict with this Act are repealed.