

House Resolution 767

By: Representatives Hightower of the 68th, Dempsey of the 13th, McCall of the 33rd, Stephens of the 164th, Cooke of the 18th, and others

A RESOLUTION

1 Creating the House Study Committee on Provision of Community Based Intellectual and
2 Developmental Disability (IDD) services, including the NOW/COMP Medicaid Waiver
3 Services; and for other purposes.

4 WHEREAS, Georgia's citizens with intellectual and developmental disabilities (IDD) are
5 some of the most vulnerable of its population and these citizens need access to services,
6 therefore requiring a seamless community based services system to address individuals'
7 varied and often complex needs; and

8 WHEREAS, community based state funded and NOW/COMP Medicaid Waiver Services
9 provide a coordinated program of professional services for individuals with IDD in
10 community based settings; and

11 WHEREAS, these services are designed to provide for specific medical necessities in a safe,
12 habitable setting; and

13 WHEREAS, community IDD services are regulated with multiple layers of costly
14 administrative audits, compliance reviews, service monitoring, quality assessments, and
15 other duplicative certifications; and

16 WHEREAS, those with IDD may have increasingly complex medical and significant chronic
17 care needs with multiple physical disabilities, mental health issues, and a need for effective
18 medication management support as well as behavioral support needs; and

19 WHEREAS, there is a shortage of licensed health care professionals (LPNs or RNs) to meet
20 the needs of this population for medication administration, thereby attributing to burdensome
21 and excessive cost incurred by providers to comply with the current proxy health caregiver
22 policies; and

23 WHEREAS, the Georgia Department of Community Health is responsible for oversight of
24 these services and the Georgia Department of Behavioral Health and Developmental
25 Disabilities is responsible for administration of these services; and

26 WHEREAS, the home and community based services programs in Georgia have been
27 examined and failed to meet the outcomes required by the United States Department of
28 Justice settlement agreement; and

29 WHEREAS, the home and community based services programs in Georgia have a waiting
30 list of over 7,000 citizens; and

31 WHEREAS, the home and community based services programs in Georgia have struggled
32 to meet the needs of individuals with IDD and their families and respond to crisis; and

33 WHEREAS, the federal Centers for Medicare and Medicaid Services has recently issued
34 additional rules further defining home and community based services.

35 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

36 (1) **Creation of House study committee.** There is created the House Study Committee
37 on Provision of Community Based Intellectual and Developmental Disability (IDD)
38 services, including the NOW/COMP Medicaid Waiver Services.

39 (2) **Members and officers.** The committee shall be composed of three members of the
40 House of Representatives to be appointed by the Speaker of the House of
41 Representatives. The Speaker shall also appoint an additional two nonlegislative
42 members of the committee as follows: a consumer or family member of NOW/COMP
43 Medicaid Waiver Services and a provider of NOW/COMP Medicaid Waiver Services
44 through the Department of Behavioral Health and Developmental Disabilities. The
45 Speaker shall designate one of the legislative appointees as chairperson of the committee.

46 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
47 issues, and problems mentioned above or related thereto and recommend any action or
48 legislation which the committee deems necessary or appropriate.

49 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
50 may conduct such meetings at such places and at such times as it may deem necessary or
51 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
52 accomplish the objectives and purposes of this resolution.

53 (5) **Allowances, expenses, and funding.**

54 (A) The legislative members of the committee shall receive the allowances provided
55 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

56 (B) Nonlegislative members of the committee shall receive a daily expense allowance
57 in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of
58 the Official Code of Georgia Annotated, as well as the mileage or transportation
59 allowance authorized for state employees.

60 (C) The allowances authorized by this resolution shall not be received by any member
61 of the committee for more than five days unless additional days are authorized. Funds
62 necessary to carry out the provisions of this resolution shall come from funds
63 appropriated to the House of Representatives.

64 (6) **Report.**

65 (A) In the event the committee adopts any specific findings or recommendations that
66 include suggestions for proposed legislation, the chairperson shall file a report of the
67 same prior to the date of abolishment specified in this resolution, subject to
68 subparagraph (C) of this paragraph.

69 (B) In the event the committee adopts a report that does not include suggestions for
70 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
71 of this paragraph.

72 (C) No report shall be filed unless the same has been approved prior to the date of
73 abolishment specified in this resolution by majority vote of a quorum of the committee.
74 A report so approved shall be signed by the chairperson of the committee and filed with
75 the Clerk of the House of Representatives.

76 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
77 House of Representatives a copy of the minutes of the meetings of the committee in lieu
78 thereof.

79 (7) **Abolishment.** The committee shall stand abolished on December 1, 2015.