

The Senate Committee on Health and Human Services offers the following substitute to SR 561:

A RESOLUTION

1 Creating the Senate Study Committee on the Consumer and Provider Protection Act (SB
2 158); and for other purposes.

3 WHEREAS, independent primary care providers' practices often represent the bedrock of
4 communities throughout Georgia; and

5 WHEREAS, independent primary care providers are small employers and account for almost
6 100,000 jobs throughout the state, according to a 2012 study by the Carl Vinson Institute;
7 and

8 WHEREAS, independent primary care providers account for almost \$1 billion in state and
9 local revenue for the State of Georgia, according to a 2012 study by the Carl Vinson
10 Institute; and

11 WHEREAS, the health insurance industry is an essential element in health care that is
12 beneficial to both the patient and primary care provider; and

13 WHEREAS, health insurers often have a greater bargaining position than independent
14 primary care providers do when it comes to negotiating contracts; and

15 WHEREAS, primary care providers should be made aware of any new discounts that are
16 presented through a rental network; and

17 WHEREAS, primary care providers should be able to freely contract with an insurer to
18 accept the types of insurance products that would be most beneficial to their patients and
19 their business model; and

20 WHEREAS, primary care providers should be able to rely on a negotiated contract with a
21 health insurer without the possibility of the health insurer changing the terms of the contract;
22 and

23 WHEREAS, unilateral revisions to contracts are not prohibited but the proposed revisions
24 should be presented in a timely manner, giving the other party to the agreement the
25 opportunity to carefully review and make a determination as to whether they can accept the
26 newly proposed terms; and

27 WHEREAS, insurance companies often appeal to consumers by stating that their providers
28 are participants in their networks; and

29 WHEREAS, it is not uncommon that providers are sometimes not participants in a network
30 and, in some instances, have never been participants in a certain network; and

31 WHEREAS, during the 2015 regular session of the Georgia General Assembly, SB 158 was
32 introduced to address such issues.

33 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

34 (1) **Creation of Senate study committee.** There is created the Senate Study Committee
35 on the Consumer and Provider Protection Act (SB 158).

36 (2) **Members and officers.** The committee shall be composed of four members of the
37 Senate to be appointed by the President of the Senate. The President shall also appoint
38 an additional six nonlegislative members of the committee as follows:

39 (A) One physician representative from the Medical Association of Georgia;

40 (B) One practice administrator who represents at least 500 physicians;

41 (C) One dentist representative from the Georgia Dental Association;

42 (D) One dental office manager or dental office insurance coordinator;

43 (E) One consumer member; and

44 (F) One health insurance industry representative.

45 The President shall designate one of the Senate members of the committee as chairperson
46 of the committee.

47 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
48 issues, and problems mentioned above or related thereto and recommend any action or
49 legislation which the committee deems necessary or appropriate, which shall include, but
50 not be limited to, a review of the following:

51 (A) Current practices and necessity for the regulation of rental networks;

- 52 (B) Current practices and necessity of all-products clauses;
- 53 (C) Incidence and prevalence of unilateral revisions in contracts with health care
54 providers; and
- 55 (D) Incidence and prevalence of incorrect data related to network adequacy.
- 56 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
57 may conduct such meetings at such places and at such times as it may deem necessary or
58 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
59 accomplish the objectives and purposes of this resolution.
- 60 (5) **Allowances, expenses, and funding.**
- 61 (A) The legislative members of the committee shall receive the allowances provided
62 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.
- 63 (B) The nonlegislative members of the committee shall receive a daily expense
64 allowance in an amount the same as that specified in subsection (b) of Code Section
65 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or
66 transportation allowance authorized for state employees.
- 67 (C) The allowances authorized by this resolution shall not be received by any member
68 of the committee for more than five days unless additional days are authorized. Funds
69 necessary to carry out the provisions of this resolution shall come from funds
70 appropriated to the Senate.
- 71 (6) **Report.**
- 72 (A) In the event the committee adopts any specific findings or recommendations that
73 include suggestions for proposed legislation, the chairperson shall file a report of the
74 same prior to the date of abolishment specified in this resolution, subject to
75 subparagraph (C) of this paragraph.
- 76 (B) In the event the committee adopts a report that does not include suggestions for
77 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
78 of this paragraph.
- 79 (C) No report shall be filed unless the same has been approved prior to the date of
80 abolishment specified in this resolution by majority vote of a quorum of the committee.
81 A report so approved shall be signed by the chairperson of the committee and filed with
82 the Secretary of the Senate.
- 83 (D) In the absence of an approved report, the chairperson may file with the Secretary
84 of the Senate copies of the minutes of the meetings of the committee in lieu thereof.
- 85 (7) **Abolishment.** The committee shall stand abolished on December 1, 2015.