

House Resolution 1510

By: Representatives Kidd of the 145th, Broadrick of the 4th, Sharper of the 177th, Clark of the 101st, Cooper of the 43rd, and others

A RESOLUTION

- 1 Creating the House Durable Medical Equipment Study Committee; and for other purposes.
- 2 WHEREAS, the term "durable medical equipment" is used to describe medical equipment
3 used by a patient to aid quality of life; and
- 4 WHEREAS, durable medical equipment includes a wide variety of equipment from
5 wheelchairs and crutches to blood glucose machines; and
- 6 WHEREAS, the costs of durable medical equipment have risen dramatically in recent years;
7 and
- 8 WHEREAS, some Georgians in need of durable medical equipment are struggling to afford
9 vital equipment to maintain their quality of life, and study is needed to determine why access
10 to durable medical equipment from public health care programs, private insurance, and
11 private pay patients is increasingly unattainable; and
- 12 WHEREAS, the federal medicare program and the state Medicaid program are investigating
13 the incidences of some fraudulent suppliers of durable medical equipment, prosthetics, and
14 orthotics supplies which could be leading to increased costs to medicare beneficiaries,
15 Medicaid, and private pay patients; and
- 16 WHEREAS, the United States Department of Health and Human Services has found that
17 certain products are being provided to medicare, Medicaid, and private pay patients and are
18 ultimately paid for by taxpayers by billing medicare, Medicaid, and private pay patients; and
- 19 WHEREAS, certain products are being billed to medicare, Medicaid, and private pay patients
20 at higher than normal rates and include items such as wheelchairs, nebulizers and aerosol
21 medications, artificial limbs, wound therapy treatments, crutches, oxygen and breathing
22 apparatuses, and almost all durable medical equipment; and

23 WHEREAS, the personal prescribing practitioner, medical doctor, dentist, podiatrist,
24 physical therapist, and other licensed practitioners have not prescribed the durable medical
25 equipment being billed; and

26 WHEREAS, the personal prescribing practitioner is the most qualified to determine the true
27 need of any durable medical equipment for their patient; and

28 WHEREAS, study is needed to determine if the need for durable medical equipment in
29 Georgia is in line with the national average, to analyze why the costs of durable medical
30 equipment are increasing so rapidly, and to identify ways to prevent fraudulent practices
31 from occurring in this state, while at the same time researching ways to increase access to
32 necessary and affordable durable medical equipment for Georgians.

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

34 (1) **Creation of House study committee.** There is created the House Durable Medical
35 Equipment Study Committee.

36 (2) **Members and officers.** The committee shall be composed of five members of the
37 House of Representatives to be appointed by the Speaker of the House of
38 Representatives. The Speaker shall designate one of such members as chairperson.

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

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

46 (5) **Allowances and funding.** The legislative members of the committee shall receive
47 the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia
48 Annotated. The allowances authorized by this resolution shall not be received by any
49 member of the committee for more than five days unless additional days are authorized.
50 Funds necessary to carry out the provisions of this resolution shall come from funds
51 appropriated to the House of Representatives.

52 (6) **Report.**

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

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

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

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

67 (7) **Abolishment.** The committee shall stand abolished on December 1, 2016.