

House Bill 1160

By: Representatives Spencer of the 180th, Dudgeon of the 25th, Caldwell of the 20th, Turner of the 21st, Stover of the 71st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as to require legislative notification prior to the
3 submission of certain waivers pursuant to Section 1332 of the Patient Protection and
4 Affordable Care Act; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
9 medical assistance generally, is amended by adding a new Code section to read as follows:

10 "49-4-142.3.

11 On and after July 1, 2016, neither the department, the board, nor any other representative
12 of the state shall submit any request or application to the United States Department of
13 Health and Human Services Centers for Medicare and Medicaid Services for a waiver
14 pursuant to Section 1332 of the federal Patient Protection and Affordable Care Act or
15 pursuant to 45 C.F.R. Section 155.1302 without legislative notification. The legislative
16 notification required under this Code section shall be by general Act of the General
17 Assembly or the adoption of a joint resolution of the General Assembly. The inclusion of
18 language in an appropriations act purporting to be legislative notification shall not be
19 effective and shall not be deemed to meet the requirements of this Code section."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.