

The Senate Committee on Health and Human Services offered the following substitute to SB 193:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,
2 relating to the Positive Alternatives for Pregnancy and Parenting Grant Program, so as to
3 revise the program mission and practice; to repeal legislative authority; to remove certain
4 references to medically indigent women; to revise certain definitions; to amend Article 6 of
5 Chapter 8 of Title 31, relating to the Indigent Care Trust Fund, so as to remove the Positive
6 Alternatives for Pregnancy and Parenting Grant Program; to provide for related matters; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to
11 Positive Alternatives for Pregnancy and Parenting Grant Program, is amended by repealing
12 Code Section 31-2A-30, relating to legislative authority, and designating said Code section
13 as reserved.

14 style="text-align:center">**SECTION 2.**

15 Said article is further amended in Code Section 31-2A-31, relating to definitions, by revising
16 paragraphs (3), (5), and (8) as follows:

17 "(3) 'Contract management agency' or 'agency' means a nongovernmental charitable
18 organization in this state which is a 501(c)(3) tax-exempt organization under the Internal
19 Revenue Code of 1986 and whose mission and practice is to ~~provide~~ promote alternatives
20 to abortion services to ~~medically indigent women~~ at no cost."

21 "~~(5) 'Medically indigent' means a person who is without health insurance or who has~~
22 ~~health insurance that does not cover pregnancy or related conditions for which treatment~~
23 ~~and services are sought and whose family income does not exceed 200 percent of the~~
24 ~~federal poverty level as defined annually by the federal Office of Management and~~
25 ~~Budget~~ Reserved."

26 "(8) "Trust fund" means the Indigent Care Trust Fund created by Code Section 31-8-152
27 Reserved."

28 **SECTION 3.**

29 Said article is further amended by revising Code Section 31-2A-32, relating to the Positive
30 Alternatives for Pregnancy and Parenting Grant Program, as follows:

31 "31-2A-32.

32 There is established within the department the Positive Alternatives for Pregnancy and
33 Parenting Grant Program. The purpose of the grant program shall be to ~~promote healthy~~
34 ~~pregnancies and childbirth~~ develop a state-wide effort that promotes healthy pregnancies
35 and childbirth by awarding grants to nonprofit organizations that provide pregnancy
36 support services."

37 **SECTION 4.**

38 Said article is further amended in Code Section 31-2A-33, relating to administration and
39 duties, by revising subsection (b) as follows:

40 "(b) The contract management agency selected by the department shall meet the definition
41 of a contract management agency as defined in paragraph (3) of Code Section 31-2A-31
42 and shall:

- 43 (1) Create a grant application process;
- 44 (2) Evaluate grant applications and make recommendations to the department;
- 45 (3) Communicate acceptance or denial of grant applications to direct client service
46 providers;
- 47 (4) Monitor compliance with the terms and conditions of the grant;
- 48 (5) Maintain records for each grant applicant and award; and
- 49 (6) Coordinate activities and correspondence between the department and direct client
50 service providers."

51 **SECTION 5.**

52 Said article is further amended by revising Code Section 31-2A-35, relating to grants, as
53 follows:

54 "31-2A-35.

55 (a) Grants shall be awarded annually on a competitive basis to direct client service
56 providers who display competent experience in providing any of the services included in
57 Code Section 31-2A-34 pursuant to guidelines and criteria established pursuant to this
58 article.

59 (b) The department shall, with input from the agency, determine the maximum grant
 60 amount to be awarded to each direct client service provider, and such grant amount shall
 61 not exceed 85 percent of the annual revenue for the prior year of any provider.

62 (c) The grant agreement entered into between the agency and a direct client service
 63 provider shall stipulate that the grant shall be used to provide any or all pregnancy support
 64 services at the discretion of the service provider pursuant to Code Section 31-2A-34. The
 65 agreement shall further stipulate that a direct client service provider shall not perform,
 66 promote, or act as a referral for an abortion, except as otherwise provided in paragraph (9)
 67 of subsection (a) of Code Section 31-2A-36, and that grant funds shall not be used to
 68 promote or be otherwise expended for political or religious purposes, including, but not
 69 limited to, counseling or written material. Nothing in this article shall be construed to
 70 prohibit any direct client service provider from promoting or expending nongrant funds for
 71 a political or religious purpose."

72 SECTION 6.

73 Article 6 of Chapter 8 of Title 31, relating to the Indigent Care Trust Fund, is amended by
 74 revising Code Section 31-8-154, relating to authorized expenditure of contributed funds, as
 75 follows:

76 "31-8-154.

77 All moneys contributed and revenues deposited and transferred to the trust fund pursuant
 78 to this article and any interest earned on such moneys shall be appropriated to the
 79 department for only the following purposes:

- 80 (1) To expand Medicaid eligibility and services;
- 81 (2) For programs to support rural and other health care providers, primarily hospitals,
 82 who serve the medically indigent;
- 83 (3) For primary health care programs for medically indigent citizens and children of this
 84 state; or
- 85 ~~(4) For the Positive Alternatives for Pregnancy and Parenting Grant Program established~~
 86 ~~under Article 2 of Chapter 2A of this title; or~~
- 87 ~~(5)~~(4) Any combination of purposes specified in paragraphs (1) through ~~(4)~~ (3) of this
 88 Code section."

89 SECTION 7.

90 Said article is further amended in Code Section 31-8-156, relating to appropriation of state
 91 funds by the General Assembly, by revising subsection (b) as follows:

92 "(b) An appropriation pursuant to subsection (a) of this Code section shall specify each
93 purpose, if any, as specified in paragraphs (1) through ~~(5)~~ (4) of Code Section 31-8-154,
94 for which the trust funds are appropriated thereby."

95

SECTION 8.

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