

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to provide that certain professional licensing boards are authorized but not
3 required to suspend the license of a person upon notice of nonpayment or default on a federal
4 educational loan or service conditional scholarship; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
9 is amended by revising Code Section 43-1-29, relating to suspension of license by a
10 professional licensing board under the jurisdiction of the Secretary of State for nonpayment
11 of student loans, procedures, and reinstatement, as follows:

12 "43-1-29.

13 A professional licensing board ~~shall~~ may suspend the license of a person licensed by that
14 board who has been certified by a federal agency and reported to the board for nonpayment
15 or default or breach of a repayment or service obligation under any federal educational
16 loan, loan repayment, or service conditional scholarship program. Prior to ~~the~~ a
17 suspension, the licensee shall be entitled to notice of the board's intended action and
18 opportunity to appear before the board according to procedures set forth by the division
19 director in rules and regulations. A suspension of a license under this Code section is not
20 a contested case under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'
21 A license suspended under this Code section shall not be reinstated or reissued until the
22 person provides the licensing board a written release issued by the reporting agency stating
23 that the person is making payments on the loan or satisfying the service requirements in
24 accordance with an agreement approved by the reporting agency. If the person has
25 continued to meet all other requirements for licensure during the period of suspension,

26 reinstatement of the license shall be automatic upon receipt of the notice and payment of
27 any reinstatement fee which the board may impose."

28 **SECTION 2.**

29 Said title is further amended by revising subsection (b.1) of Code Section 43-34-8, relating
30 to authority of Georgia Composite Medical Board to refuse license, certificate, or permit or
31 issue discipline, suspension, restoration, investigations, hearings on fitness, immunity, and
32 publication of final disciplinary actions, as follows:

33 "(b.1) The board ~~shall~~ may suspend the license, certificate, or permit of a person licensed
34 by the board who has been certified by a federal agency and reported to the board for
35 nonpayment or default or breach of a repayment or service obligation under any federal
36 education loan, loan repayment, or service conditional scholarship program. Prior to ~~the~~
37 a suspension, the licensee, certificate holder, or permit holder shall be entitled to notice of
38 the board's intended action and opportunity to appear before the board according to
39 procedures set forth in the board's rules and regulations. A suspension of a license,
40 certificate, or permit under this subsection is not a contested case under Chapter 13 of
41 Title 50, the 'Georgia Administrative Procedure Act.' A license, certificate, or permit
42 suspended under this Code section shall not be reinstated or reissued until the person
43 provides the board a written release issued by the reporting agency stating that the person
44 is making payments on the loan or satisfying the service requirements in accordance with
45 an agreement approved by the reporting agency. If the person has continued to meet all
46 other requirements for issuance of a license, certificate, or permit during the period of
47 suspension, reinstatement of the license, certificate, or permit shall be automatic upon
48 receipt of the notice and payment of any reinstatement fee which the board may impose."

49 **SECTION 3.**

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