

House Bill 653

By: Representatives Spencer of the 180<sup>th</sup>, Hugley of the 136<sup>th</sup>, Rakestraw of the 19<sup>th</sup>, Shannon of the 84<sup>th</sup>, Clark of the 147<sup>th</sup>, and others

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:

7 **SECTION 1.**

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.