

Senate Resolution 772

By: Senators Thompson of the 14th, Kirk of the 13th, Martin of the 9th, Hufstetler of the 52nd, Parent of the 42nd and others

A RESOLUTION

1 Creating the Joint Study Committee on Retrospective Emergency Room Policies; and for
2 other purposes.

3 WHEREAS, the patients of Georgia should not be dissuaded from going to the emergency
4 room in a potential emergency; and

5 WHEREAS, retrospective payment policies for emergency care put Georgia patients at risk;
6 and

7 WHEREAS, the patients of Georgia should not be expected to have the medical knowledge
8 to determine whether an emergency exists; and

9 WHEREAS, patients pay for insurance policies expecting for that policy to cover their care
10 during potential emergencies; and

11 WHEREAS, federal law regarding the prudent layperson standard conflicts with the prudent
12 layperson standard set out in retroactive emergency room payment policies; and

13 WHEREAS, retroactive emergency room policies contribute to medical debt endured by
14 Georgians, conflict with goals for access to care across the state, and discriminate against
15 patients with lower health literacy; and

16 WHEREAS, it would be beneficial to study the practices and policies that are currently being
17 implemented in various emergency departments throughout the state to determine if action
18 by the state is necessary to mitigate the problem.

19 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
20 GEORGIA:

- 21 (1) **Creation of joint study committee.** There is created the Joint Study Committee on
22 Retrospective Emergency Room Policies.
- 23 (2) **Members and officers.** The committee shall be composed of six members, as
24 follows:
- 25 (A) Three members of the House of Representatives to be appointed by the Speaker
26 of the House of Representatives, who shall designate one of such members as
27 cochairperson; and
- 28 (B) Three members of the Senate to be appointed by the President of the Senate, who
29 shall designate one of such members as cochairperson.
- 30 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
31 issues, and problems mentioned above or related thereto and recommend any action or
32 legislation which the committee deems necessary or appropriate.
- 33 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
34 committee may conduct such meetings at such places and at such times as it may deem
35 necessary or convenient to enable it to exercise fully and effectively its powers, perform
36 its duties, and accomplish the objectives and purposes of this resolution.
- 37 (5) **Allowances and funding.** The members of the committee shall receive the
38 allowances provided for in Code Section 28-1-8 of the Official Code of Georgia
39 Annotated. The allowances authorized by this resolution shall not be received by any
40 member of the committee for more than five days unless additional days are authorized.
41 Funds necessary to carry out the provisions of this resolution shall come from funds
42 appropriated to the House of Representatives and the Senate.
- 43 (6) **Report.**
- 44 (A) In the event the committee adopts any specific findings or recommendations that
45 include suggestions for proposed legislation, the cochairpersons shall file a report of the
46 same prior to the date of abolishment specified in this resolution, subject to
47 subparagraph (C) of this paragraph.
- 48 (B) In the event the committee adopts a report that does not include suggestions for
49 proposed legislation, the cochairpersons shall file the report, subject to
50 subparagraph (C) of this paragraph.
- 51 (C) No report shall be filed unless the same has been approved prior to the date of
52 abolishment specified in this resolution by majority vote of a quorum of the committee.
53 A report so approved shall be signed by the cochairpersons of the committee and filed
54 with the Clerk of the House of Representatives and the Secretary of the Senate.
- 55 (D) In the absence of an approved report, the cochairpersons may file with the Clerk
56 of the House of Representatives and the Secretary of the Senate copies of the minutes
57 of the meetings of the committee in lieu thereof.

58 (7) **Abolishment.** The committee shall stand abolished on December 1, 2018.