

Senate Bill 444

By: Senators Unterman of the 45th, Hufstetler of the 52nd, Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to
2 services for the aging, so as to create the Georgia Alzheimer's and Related Dementias State
3 Plan Advisory Council; to provide for legislative declaration; to provide for definitions; to
4 provide for membership; to provide for duties and reporting requirements; to provide for
5 related matters; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the
10 aging, is amended by adding a new article to read as follows:

11 "ARTICLE 8

12 49-6-90.

13 The General Assembly having declared that Alzheimer's disease and related dementias is
14 a looming state and national public health crisis and having found that it is in the best
15 interest of the state and its citizenry to address this issue created a Georgia Alzheimer's and
16 Related Dementias State Plan for the purpose of developing a strategy to mobilize a state
17 response. The provisions of this chapter are enacted to further the intention of the State of
18 Georgia to become a more dementia-friendly and dementia-capable environment for the
19 citizens of Georgia with Alzheimer's disease and related dementias. To further that
20 purpose, the Georgia Alzheimer's and Related Dementias State Plan Advisory Council is
21 created to ensure that focus remains on implementing and amending as needed the goals
22 set forth in the Georgia Alzheimer's and Related Dementias State Plan.

23 49-6-91.

24 As used in this article, the term:

25 (1) 'Advisory council' means the Georgia Alzheimer's and Related Dementias State Plan
 26 Advisory Council as created and authorized by this article.

27 (2) 'Alzheimer's' means having characteristics of Alzheimer's disease, a progressive and
 28 degenerative brain disease that causes impairment or change in memory, thinking, or
 29 behavior.

30 (3) 'Commissioner' means the commissioner of human services.

31 (4) 'Dementia' means any disease from a class of degenerative brain disorders that cause
 32 impairment or changes in memory, thinking, or behavior that are progressive and
 33 irreversible. Such diseases include, but are not limited to, Alzheimer's disease, Lewy
 34 Body dementia, frontotemporal dementia, and vascular dementia.

35 (5) 'Department' means the Department of Human Services.

36 (6) 'State plan' means the Georgia Alzheimer's and Related Dementias State Plan, as
 37 amended, created pursuant to legislation for the purpose of analyzing state demographics,
 38 prevalent statistics, and existing resources to gauge the state's capacity to meet growing
 39 needs and to present a roadmap for creating a more dementia-capable Georgia.

40 49-6-92.

41 (a) There is established the Georgia Alzheimer's and Related Dementias State Plan
 42 Advisory Council which shall consist of the following members:

43 (1) Eleven individuals are standing members due to their position in government agency,
 44 organization, or elected office:

45 (A) The commissioner of human services or his or her designee;

46 (B) The director of the Division of Aging Services;

47 (C) The President of the Georgia Association of Area Agencies on Aging or his or her
 48 designee;

49 (D) The commissioner of community health or his or her designee;

50 (E) The commissioner of public health or his or her designee;

51 (F) The commissioner of behavioral health and developmental disabilities or his or her
 52 designee;

53 (G) The chairperson of the Senate Health and Human Services Committee or his or her
 54 designee;

55 (H) The chairperson of the House Committee on Health and Human Services or his or
 56 her designee;

57 (I) The chairperson of the House Committee on Human Relations and Aging or his or
 58 her designee;

59 (J) A representative of the Georgia Chapter of the Alzheimer's Association; and

60 (K) A representative of the Georgia Council on Aging.

61 (2) The Governor shall appoint one individual from around the state in each topical area
 62 below, chosen for his or her expertise or experience in one of the following six specific
 63 fields:

64 (A) A provider of residential, health care, or personal care services to those living with
 65 dementia;

66 (B) A social gerontologist or clinical researcher in an education or clinical setting with
 67 expertise in dementia;

68 (C) An advocate with a not-for-profit or state agency whose role is to improve services
 69 for older adults or those living with dementia;

70 (D) A medical professional with an active practice specializing in geriatrics, neurology,
 71 or other field closely related to dementia;

72 (E) A caregiver, current or past, for a family member with dementia who has
 73 experience navigating health care service options; and

74 (F) A person who has been diagnosed with dementia.

75 (b) The advisory council shall serve in an advisory capacity to the Governor, the General
 76 Assembly, the Department of Human Services, and all other state agencies on matters
 77 relating to the Georgia Alzheimer's and Related Dementias State Plan. The advisory
 78 council shall review and make recommendations regarding progress toward the goals of
 79 the state plan and on progress in implementing resources and services to serve individuals
 80 with dementia related diseases around Georgia in the future. Such review and
 81 recommendations shall include, but not be limited to, the following:

82 (1) Selecting current priorities for state plan work groups to focus on;

83 (2) Examining the current laws, rules and regulations, and policies of the various
 84 agencies that interact with services for individuals with dementia and making
 85 recommendations to improve the navigation of and provision of care services for those
 86 with dementia and their caregivers;

87 (3) Proposing legislative or administrative changes to policies and programs needed for
 88 furtherance of the state plan;

89 (4) Examining state and federal funding into the areas of the state plan and reviewing
 90 how to work interdisciplinarily to ensure the most efficient and effective use of available
 91 resources;

92 (5) Locating and assisting departments or partner agencies in applying for new funding
 93 sources and new opportunities in furtherance of the goals of the state plan; and

94 (6) Amending the state plan at least every three years and submitting the amended state
 95 plan to the Governor for authorization.

96 (c) The advisory council shall annually elect a chairperson and vice chairperson from
97 among its membership. The advisory council may elect such other officers and establish
98 committees as it considers appropriate. Until a chairperson and vice chairperson are
99 elected or if the chairperson or vice chairperson is unavailable, the director of the Division
100 of Aging Services shall serve temporarily in that role until a new election can be held by
101 the advisory council. The advisory council shall create and vote on bylaws and policies as
102 needed.

103 (d) The terms of those individuals appointed by the Governor pursuant to paragraph (2)
104 of subsection (a) of this Code section shall serve for an appointment of two years, with the
105 exception of the first year of existence of the advisory council. For the purpose of
106 staggering term appointments, in the first appointment of the individuals in paragraph (2)
107 of subsection (a) of this Code section, the Governor shall appoint three appointees for a
108 one-year first term and three appointees for a two-year first term. All subsequent
109 appointments or reappointments shall be for terms of two years. If an appointee resigns or
110 is otherwise unable to complete the appointed term, the Governor shall appoint a new
111 individual whose expertise or experience satisfies the vacated position within 90 days.

112 (e) The advisory council shall meet at least quarterly and at such additional times as it shall
113 determine necessary to perform its duties. The advisory council shall also meet on the call
114 of the chairperson, the vice chairperson, the commissioner, or the Governor. All meetings
115 shall contain updates from each work group and presentations on any developed proposals
116 for furtherance of the state plan goals. At or before the summer quarterly meeting, the
117 advisory council shall take a formal vote on any proposals or recommendations under
118 consideration.

119 (f) Starting on January 1 of the year after this article takes effect and repeating every three
120 years after that date, the advisory council shall submit to the Governor for his or her
121 approval and thereafter make available to the General Assembly a report on the work of
122 the advisory council. This report shall include a summary of the progress report toward
123 implementation of the state plan and recommendations for amendments to the state plan.
124 If the advisory council determines that amendments need to be made to the state plan, an
125 amended Georgia Alzheimer's and Related Dementia State Plan may be presented to the
126 Governor for review and approval.

127 (g) The department shall staff a position for the Georgia Alzheimer's and Related
128 Dementias State Plan; such position shall be the state plan coordinator. The state plan
129 coordinator shall assist the chairperson and advisory council on council related activities,
130 coordinating the advisory council meetings, and coordinating and serving as a liaison
131 between the work groups and the advisory council, and other associated duties as assigned

132 by the department. The state plan coordinator shall ensure that the progress report is
133 published pursuant to subsection (f) of this Code section.

134 (h) The advisory council members shall serve in one or more of the Georgia Alzheimer's
135 and Related Dementias State Plan work groups as described in the goals of the state plan.
136 These work groups are to be composed of volunteers and individuals interested in dementia
137 and shall meet between the quarterly meetings to develop the priorities from paragraph (1)
138 of subsection (b) of this Code section to present recommendations to the full advisory
139 council at its quarterly meetings.

140 (i) Members shall serve without compensation, although each member of the advisory
141 council shall be reimbursed for actual expenses incurred in the performance of his or her
142 duties from funds available to the advisory council; provided, however, that any legislative
143 member shall receive the allowances authorized by law for legislative members of interim
144 legislative committees and any members who are state employees shall be reimbursed for
145 expenses incurred by them in the same manner as they are reimbursed for expenses in their
146 capacities as state employees."

147 **SECTION 2.**

148 This Act shall become effective on July 1, 2018.

149 **SECTION 3.**

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