

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

AS PASSED SENATE

**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 a
5 short title; to provide for related matters; to provide an effective date; to repeal conflicting
6 laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Senator Thorborn 'Ross' Tolleson, Jr., Act."

10 **SECTION 2.**

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

13 **"ARTICLE 8**

14 49-6-90.

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

23 created to ensure that focus remains on implementing and amending as needed the goals
 24 set forth in the Georgia Alzheimer's and Related Dementias State Plan.

25 49-6-91.

26 As used in this article, the term:

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

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

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

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

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

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

42 49-6-92.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

94 (5) Locating and assisting departments or partner agencies in applying for new funding
95 sources and new opportunities in furtherance of the goals of the state plan; and
96 (6) Amending the state plan at least every three years and submitting the amended state
97 plan to the Governor for authorization.

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

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

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

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

129 (g) The department shall staff a position for the Georgia Alzheimer's and Related
130 Dementias State Plan; such position shall be the state plan coordinator. The state plan

131 coordinator shall assist the chairperson and advisory council on council related activities,
132 coordinating the advisory council meetings, and coordinating and serving as a liaison
133 between the work groups and the advisory council, and other associated duties as assigned
134 by the department. The state plan coordinator shall ensure that the progress report is
135 published pursuant to subsection (f) of this Code section.

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

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

149 **SECTION 3.**

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

151 **SECTION 4.**

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