

Senate Bill 361

By: Senators Jackson of the 2nd, Jones of the 10th, Karinshak of the 48th and Jordan of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
2 regulation and construction of hospitals and other health care facilities, so as to require
3 hospitals to establish protocols for the early recognition and treatment of sepsis; to require
4 training of hospital staff on the protocols; to provide for data collection; to provide for
5 submission of protocols to the Department of Community Health upon request; to provide
6 for certain actions by the Department of Community Health subject to appropriations; to
7 provide for related matters; to provide for a short title; to repeal conflicting laws; and for
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 This Act shall be known and may be cited as "Jay's Law."

12 style="text-align:center">**SECTION 2.**

13 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation and
14 construction of hospitals and other health care facilities, is amended in Article 2, relating to
15 the Georgia Building Authority, by redesignating Code Section 31-7-23 as Code
16 Section 31-7-24 and by adding a new Code section to the end of Article 1, relating to
17 regulation of hospitals and related institutions, to read as follows:

18 "31-7-23.

19 (a) Each hospital in this state shall adopt, implement, and periodically update
20 evidence-based protocols for the early recognition and treatment of patients with sepsis,
21 severe sepsis, or septic shock that are based on generally accepted standards of care. Such
22 protocols shall include components specific to the identification, care, and treatment of
23 adults and of children and shall clearly identify where and when components will differ for
24 adults and for children seeking treatment in an emergency department or as an inpatient.
25 Such protocols shall also include the following components:

- 26 (1) A process for the screening and early recognition of patients with sepsis, severe
27 sepsis, or septic shock;
- 28 (2) A process to identify and document individuals appropriate for treatment through
29 sepsis protocols, including explicit criteria defining those patients who should be
30 excluded from the protocols, such as patients with certain clinical conditions or who have
31 elected palliative care;
- 32 (3) Guidelines for hemodynamic support with explicit physiologic and treatment goals,
33 methodology for invasive or noninvasive hemodynamic monitoring, and timeframe goals;
- 34 (4) For infants and children, guidelines for fluid resuscitation consistent with current,
35 evidence-based guidelines for severe sepsis and septic shock with defined therapeutic
36 goals for children; and
- 37 (5) Identification of the infectious source and delivery of early broad-spectrum
38 antibiotics with timely reevaluation to adjust to narrow spectrum antibiotics targeted to
39 identified infectious sources and criteria for use based on accepted evidence of vasoactive
40 agents.
- 41 (b) Each hospital shall ensure that professional staff with direct patient care responsibilities
42 and, as appropriate, staff with indirect patient care responsibilities, including, but not
43 limited to, laboratory and pharmacy staff, are periodically trained to implement the sepsis
44 protocols established pursuant to subsection (a) of this Code section. Each hospital shall
45 ensure that staff receives updated training if substantive changes are made to such
46 protocols.
- 47 (c) Each hospital shall be responsible for the collection and utilization of quality measures
48 related to the recognition and treatment of severe sepsis for purposes of internal quality
49 improvement.
- 50 (d) The protocols adopted pursuant to subsection (a) of this Code section shall be provided
51 to the department upon the department's request.
- 52 (e) Hospitals submitting sepsis data as required by the federal Centers for Medicare and
53 Medicaid Services, Hospital Inpatient Quality Reporting program as of fiscal year 2019,
54 are presumed to meet the sepsis protocol requirements adopted pursuant to subsection (a)
55 of this Code section.
- 56 (f) Subject to appropriations, the department shall:
- 57 (1) Recommend evidence-based sepsis definitions and metrics that incorporate
58 evidence-based findings, including appropriate antibiotic stewardship, and that align with
59 the National Quality Forum, the federal Centers for Medicare and Medicaid Services, the
60 Agency for Healthcare Research and Quality, and The Joint Commission;

61 (2) Establish and use a methodology for collecting, analyzing, and disclosing the
62 information collected pursuant to this Code section, including collection methods,
63 formatting, and methods and means for aggregate data release and dissemination;
64 (3) Complete a digest of efforts and recommendations no later than July 1, 2021. Such
65 digest may include Georgia-specific data, trends, conditions, and other clinical factors.
66 A summary of such digest shall be provided to the Governor and General Assembly and
67 shall be publicly available on the department's website; and
68 (4) Consult and seek input and feedback prior to the proposal, publication, or issuance
69 of any guidance, methodologies, metrics, rulemaking, or any other information authorized
70 under this Code section from state-wide organizations representing hospitals, physicians,
71 advanced practice nurses, pharmacists, and long-term and critical care facilities.
72 Physician's offices, convenient care, assisted living communities, skilled nursing homes,
73 emergency medical technicians and other first responders, school nurses at public and
74 private schools, public and private hospitals, epidemiologists, infection prevention
75 professionals, healthcare informatics and healthcare data professionals, and academic
76 researchers may be consulted.
77 (g) The department shall adopt rules and regulations to effectuate the provisions of this
78 Code section."

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SECTION 3.

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