

Senate Bill 483

By: Senators Brass of the 28th and Burke of the 11th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to  
2 provide for certain Medicaid reimbursement for patients treated pursuant to a behavioral  
3 rehabilitation joint venture; to provide that proceeds from the rural tax credit program  
4 received by a behavioral rehabilitation joint venture is not counted against a hospital's cap;  
5 to provide for definitions; to provide for a pilot program; to provide for a report; to provide  
6 for rules and regulations; to provide for an effective date; to provide for automatic repeal; 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 **SECTION 1.**

11 This Act shall be known and may be cited as the "Behavioral Rehabilitation and Stability  
12 Services Act."

13 **SECTION 2.**

14 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in  
15 Chapter 2, relating to the Department of Community Health, by adding a new Code section  
16 to read as follows:

17 "31-2-17.

18 (a) As used in this Code section, the term:

19 (1) 'Behavioral rehabilitation joint venture' means an agreement between a public or  
20 private general acute care hospital which has vacant beds and an institution for mental  
21 diseases to authorize the institution for mental diseases to manage up to 16 of the  
22 hospital's vacant beds as behavioral rehabilitation swing beds for the treatment of its  
23 patients and which agreement includes the following provisions:

24 (A) Addressing the distribution of liability between the parties;

25 (B) Providing for payment to the rural hospital in the same fixed amount per patient,  
 26 regardless of payor source or indigent status of the patient using any such behavioral  
 27 rehabilitation swing bed; and

28 (C) Providing that the rural hospital is responsible for submitting billing and receiving  
 29 reimbursement from payors.

30 (2) 'Behavioral rehabilitation swing beds' means vacant inpatient beds in a hospital in a  
 31 rural county, as defined in Code Section 31-6-2, which may be reimbursed under  
 32 Medicaid for furnishing post-hospital extended care services to Medicaid beneficiaries.

33 (3) 'Institution for mental diseases' has the same meaning as in 42 U.S.C. Section 1396d.

34 (b) The department shall provide Medicaid reimbursement at 100 percent of cost for any  
 35 Medicaid patients treated by a behavioral rehabilitation joint venture in its second year of  
 36 operation as such behavioral rehabilitation joint venture.

37 (c) Any contributions received by a behavioral rehabilitation joint venture shall not count  
 38 against the aggregate limit cap of \$4 million for an individual rural hospital organization  
 39 in any taxable year contained in subparagraph (e)(2)(A) of Code Section 48-7-29.20 or the  
 40 overall aggregate cap on tax credits allowed of \$60 million per taxable year contained in  
 41 paragraph (e)(1) of Code Section 48-7-29.20.

42 (d) This Code section shall be conducted as a pilot program in up to three counties  
 43 identified by the department. The purpose of the pilot program shall be to increase  
 44 behavioral health providers for indigent and Medicaid patients in rural areas of this state.

45 (e) No later than December 31, 2025, the department shall provide a report to the  
 46 chairpersons of the House Committee on Health and Human Services and the Senate  
 47 Health and Human Services Committee. Such report shall include an evaluation on the  
 48 effectiveness of the pilot program in increasing access to behavioral health services for  
 49 indigent and Medicaid patients and recommendations as to whether the pilot program  
 50 should be implemented state wide.

51 (f) The department shall be authorized to establish such rules and regulations as may be  
 52 necessary to implement the pilot program.

53 (g) This Code section shall become effective on January 1, 2021. This Code section shall  
 54 stand repealed by operation of law on December 31, 2025."

55 **SECTION 3.**

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