

Senate Bill 574

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-7-75.1 of the Official Code of Georgia Annotated, relating to
2 proceeds of sale of hospital held in trust to fund indigent health care, so as to authorize use
3 of proceeds for public health care; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 31-7-75.1 of the Official Code of Georgia Annotated, relating to proceeds of
8 sale of hospital held in trust to fund indigent health care, is amended by revising
9 subsection (a) as follows:

10 "(a)(1) The proceeds from any sale or lease of a hospital owned by a hospital authority
11 or political subdivision of this state, which proceeds shall not include funds required to
12 pay off the bonded indebtedness of the sold hospital or any expense of the authority or
13 political subdivision attributable to the sale or lease, shall be held by the authority or
14 political subdivision in an irrevocable trust fund. Such proceeds in that fund may be
15 invested in the same way that public moneys may be invested generally pursuant to
16 general law and as permitted under Code Section 31-7-83, but money in that trust fund

17 shall be used exclusively for funding the provision of health care for the indigent
18 residents of the political subdivision which owned the hospital or by which the authority
19 was activated or for which the authority was created. If the funds available for a political
20 subdivision in that irrevocable trust fund are less than \$100,000.00, the principal amount
21 may be used to fund the provision of indigent health care; otherwise, only the income
22 from that fund may be used for that care. Such funding or reimbursement for indigent
23 care shall not exceed the diagnosis related group rate for that hospital in each individual
24 case.

25 (2) Notwithstanding paragraph (1) of this subsection, in the event that it becomes
26 impracticable, unserviceable, unrealistic, or otherwise not in the best interests of the
27 residents of such political subdivision to use moneys in that trust fund exclusively for
28 funding the provision of health care for the indigent residents of the political subdivision,
29 the moneys may be used for the provision of public health care services generally within
30 the political subdivision."

31

SECTION 2.

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