

House Bill 245 (AS PASSED HOUSE AND SENATE)

By: Representatives LaHood of the 175<sup>th</sup>, Gaines of the 117<sup>th</sup>, Cooper of the 43<sup>rd</sup>, Newton of the 123<sup>rd</sup>, and Holmes of the 129<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 businesses, so as to amend a provision relating to fingerprint and criminal background checks  
3 for licensure of physicians, physician assistants, and others; to amend a provision relating to  
4 fingerprint and criminal background checks for licensure of podiatrists; to provide for related  
5 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
9 is amended in Code Section 43-34-13, relating to fingerprinting and criminal background  
10 checks for health care professionals licensed by the Georgia Composite Medical Board, by  
11 revising subsection (b) as follows:

12 "(b) Any applicant as a health care professional or as an expedited physician licensee shall  
13 have satisfactory results from a fingerprint records check report conducted by the Georgia  
14 Crime Information Center and the Federal Bureau of Investigation, as determined by the  
15 board. Application for a license, certificate, or permit under this chapter shall constitute  
16 express consent and authorization for the board ~~or its representative~~ to perform a criminal

17 background check. Each applicant who submits an application to the board for licensure,  
18 certification, or permit agrees to provide the board with any and all information necessary  
19 to run a criminal background check, including, but not limited to, classifiable sets of  
20 fingerprints. The applicant shall be responsible for all fees associated with the performance  
21 of such criminal background check."

22 **SECTION 2.**

23 Said title is further amended by revising Code Section 43-35-12.1, relating to fingerprint and  
24 criminal background checks, as follows:

25 "43-35-12.1.

26 Any applicant for a license or ~~renewal~~ reinstatement shall have satisfactory results from a  
27 fingerprint records check report conducted by the Georgia Crime Information Center and  
28 the Federal Bureau of Investigation, as determined by the board. Application for a license  
29 or reinstatement under this chapter shall constitute express consent and authorization for  
30 the board ~~or its representative~~ to perform a criminal background check. Each applicant  
31 who submits an application to the board for licensure or reinstatement agrees to provide the  
32 board with any and all information necessary to run a criminal background check,  
33 including, but not limited to, classifiable sets of fingerprints. The applicant shall be  
34 responsible for all fees associated with the performance of such criminal background  
35 check."

36 **SECTION 3.**

37 This Act shall become effective upon its approval by the Governor or upon its becoming law  
38 without such approval.

39 **SECTION 4.**

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