

House Bill 329

By: Representatives Hilton of the 48th, Silcox of the 53rd, Hawkins of the 27th, Cooper of the 45th, Franklin of the 160th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated,
2 relating to medical practice, so as to authorize certified nurse practitioners and physician
3 assistants to perform artificial insemination; to provide for definitions; to provide for related
4 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
8 medical practice, is amended by revising Code Section 43-34-37, relating to persons
9 authorized to perform artificial insemination and civil liability of physician or surgeon, as
10 follows:

11 "43-34-37.

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

13 (1) 'Additional duty' means a medical task, which is not customarily learned during the
14 scholastic training of a physician assistant.

15 (2) 'Certified nurse practitioner' means a registered professional nurse who is licensed
16 by the Georgia Board of Nursing to engage in advanced practice registered nursing as a

17 certified nurse practitioner to patients not necessarily within the physical presence but
18 under the personal direction or supervision of a supervising physician.

19 (3) 'Form C' means a Georgia Composite Medical Board document used by physicians
20 to delegate procedures to a certified nurse practitioner.

21 (4) 'Physician assistant' means a skilled person who is licensed by the Georgia
22 Composite Medical Board and who is qualified by academic and practical training to
23 provide services to patients not necessarily within the physical presence but under the
24 personal direction or supervision of a supervising physician.

25 ~~(a)~~(b) Physicians and surgeons licensed to practice medicine in accordance with and under
26 this article, certified nurse practitioners, and physician assistants shall be the only persons
27 authorized to administer or perform artificial insemination upon any female human being.
28 Any other person or persons who shall attempt to administer or perform or who shall
29 actually administer or perform artificial insemination upon any female human being shall
30 be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in
31 the penitentiary for not less than one year nor more than five years.

32 (c) A certified nurse practitioner may administer or perform an artificial insemination only
33 if such practitioner has been delegated the authority to do so by a delegating physician or
34 surgeon through the use of a Form C and such physician or surgeon is physically present
35 at the location and during the time such artificial insemination is administered or
36 performed.

37 (d) A physician assistant may administer or perform an artificial insemination only if such
38 assistant has been delegated the authority to do so by a delegating physician or surgeon,
39 such physician or surgeon is physically present at the location and time such artificial
40 insemination is administered or performed, and such authority has been approved as an
41 additional duty for such assistant by the Georgia Composite Medical Board.

42 ~~(b)~~(e) Any physician, ~~or surgeon,~~ certified nurse practitioner, or physician assistant who
43 obtains written authorization signed by both the husband and the wife authorizing him or

44 her to perform or administer artificial insemination shall be relieved of civil liability to the
45 husband and wife or to any child conceived by artificial insemination for the result or
46 results of said artificial insemination, provided that the written authorization provided for
47 in this Code section shall not relieve any physician, ~~or surgeon, certified nurse practitioner,~~
48 or physician assistant from any civil liability arising from his or her own negligent
49 administration or performance of artificial insemination."

50 **SECTION 2.**

51 This Act shall become effective on January 1, 2026.

52 **SECTION 3.**

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