

Senate Bill 130

By: Senators Hodges of the 3rd, Still of the 48th, Watson of the 1st, Kirkpatrick of the 32nd and Hickman of the 4th

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 expand medical education funding and the service cancelable loan program; to revise  
3 definitions; to provide for medical education funding to certain medical organizations  
4 facilities; to provide for a physician in certain residency or fellowship programs to be eligible  
5 for the service cancelable loan program; to provide for related matters; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising  
10 Code Section 31-7-95, relating to funding of medical education provided by hospital  
11 authorities and designated teaching hospitals, as follows:

12 "31-7-95.

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

14 (1) '~~Designated teaching hospital~~ institution' means either:

15 (A) A a teaching hospital operated by other than a hospital authority, which hospital  
16 agrees to contract with the state to offer or continue to offer a residency or fellowship

17 program approved by the Accreditation Council for Graduate Medical Education  
18 (ACGME), which program has at least one ACGME accredited residency program,  
19 excluding any stand-alone fellowship program, and which hospital operates a 24 hour,  
20 seven-day-per-week emergency room open to the public and which hospital files a  
21 semiannual statistical report consistent with those filed by other state funded tertiary,  
22 neonatal, obstetrical centers with the Department of Community Health; or

23 (B) A medical facility that has a certification number assigned by the federal Centers  
24 for Medicare and Medicaid Services to health care providers participating in the  
25 medicare and Georgia Medicaid programs and that agrees to contract with the state to  
26 offer or continue to offer a residency or fellowship program approved by the ACGME,  
27 which program has at least one ACGME accredited residency or fellowship program.

28 (1.1) 'Fellow' means a physician receiving medical education and training at an ACGME  
29 accredited fellowship program through a teaching hospital operated by a hospital  
30 authority or designated institution.

31 (2) 'Hospital authority' means a hospital authority operating a teaching hospital which  
32 offers a residency or fellowship program approved by the Accreditation Council for  
33 Graduate Medical Education.

34 (3) 'Resident' means a physician receiving medical education and training at an ACGME  
35 accredited residency program through a teaching hospital operated by a hospital authority  
36 or designated teaching hospital institution.

37 (b) The General Assembly finds that the major hospital authorities and designated teaching  
38 hospitals institutions in this state provide a valuable service benefiting the entire state by  
39 operating teaching hospitals and medical facilities which provide necessary medical  
40 education and training for physicians; this service is provided through residency and  
41 fellowship programs offered by these teaching hospitals and medical facilities. By the  
42 provision of residency and fellowship programs operated by state teaching hospitals, the  
43 state has recognized its responsibility to fund the cost of training physicians; and it is the

44 purpose of this Code section to recognize that the state has a similar responsibility when  
45 the medical education and training are provided by teaching hospitals operated by hospital  
46 authorities or by designated ~~teaching hospitals~~ institutions.

47 (c) For each resident or fellow receiving medical education and training through a teaching  
48 hospital operated by a hospital authority or designated ~~teaching hospital~~ institution, the  
49 Department of Community Health shall pay no more than \$10,000.00 per annum to the  
50 hospital authority or designated ~~teaching hospital~~ institution. Such payments shall be made  
51 based upon certifications by the hospital authorities or designated ~~teaching hospitals~~  
52 institutions to the Department of Community Health. The Department of Community  
53 Health is authorized to designate the Georgia Board of Health Care Workforce to  
54 promulgate rules and regulations specifying procedures for making the certifications  
55 provided for in this Code section and to establish a procedure for making payments to  
56 hospital authorities and designated ~~teaching hospitals~~ institutions as provided in this Code  
57 section.

58 (d) The funds necessary to carry out this Code section shall derive from funds appropriated  
59 for such purpose to the Department of Community Health. In the event the funds  
60 appropriated by the General Assembly are insufficient to fund the full amount payable to  
61 hospital authorities or designated ~~teaching hospitals~~ institutions under subsection (c) of this  
62 Code section, the amount otherwise payable thereunder shall be reduced pro rata in  
63 accordance with the funds actually appropriated for such purpose. The Department of  
64 Community Health shall have the authority to promulgate rules and regulations to carry out  
65 the provisions of this Code section. No additional teaching hospitals ~~will~~ or designated  
66 institutions shall be added until such funds have been made available for any additional  
67 teaching hospitals or designated institutions.

68 (e) Nothing in this Code section shall be construed to amend, modify, supersede, or repeal  
69 Chapter 10 of Title 49."

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**SECTION 2.**

71 Said title is further amended by revising Code Section 31-34-2, relating to purpose and intent  
72 of article, as follows:

73 "31-34-2.

74 It is the purpose of this article to increase the number of physicians, dentists, physician  
75 assistants, and advanced practice registered nurses in underserved rural areas of Georgia  
76 by making loans to physicians, dentists, physician assistants, and advanced practice  
77 registered nurses who have completed their medical or health care education, to physicians  
78 in residency or fellowship programs, and to dental students and allowing such loans to be  
79 repaid by such physicians, dentists, physician assistants, advanced practice registered  
80 nurses, resident physicians, fellowship physicians, and dental students agreeing to practice  
81 medicine or provide health care services in such rural areas and by making grants to  
82 hospitals and, as determined by the Georgia Board of Health Care Workforce, other health  
83 care entities, local governments, and civic organizations in underserved rural areas of  
84 Georgia that agree to provide matching funds to the grant, with the intent to enhance  
85 recruitment efforts in bringing physicians, dentists, physician assistants, and advanced  
86 practice registered nurses to such areas. It is the intent of the General Assembly that if  
87 funds are available to the Georgia Board of Health Care Workforce to make loans, grants,  
88 or scholarships under this article or under other applicable state law, the Georgia Board of  
89 Health Care Workforce shall give priority to loans and scholarships under Part 6 of Article  
90 7 of Chapter 3 of Title 20 and to loans under Code Section 31-34-4."

91

**SECTION 3.**

92 Said title is further amended by revising subsection (a) of Code Section 31-34-4, relating to  
93 loan applicant qualifications and rules and regulations, as follows:

94 "(a)(1) A physician, dentist, physician assistant, or advanced practice registered nurse  
95 who receives a loan under the program provided for in this article shall be a citizen or

96 national of the United States licensed to practice his or her health care profession within  
97 the State of Georgia at the time the loan is made, and shall be a graduate of an accredited  
98 graduate medical education program or other applicable accredited health care education  
99 program located in the United States which has received accreditation or provisional  
100 accreditation by the Accreditation Council for Graduate Medical Education or the  
101 American Osteopathic Association or such other applicable accreditation for other health  
102 care education programs, as determined by the board.

103 (2) A resident physician or fellowship physician who receives a loan under the program  
104 provided for in this article shall be a citizen or national of the United States and shall be  
105 a resident physician or fellowship physician in an ACGME accredited program.

106 (3) A dental student who receives a loan under the program provided for in this article  
107 shall be a citizen or national of the United States and shall be actively enrolled as a  
108 fourth-year student in an accredited dental education program located in the United  
109 States."

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#### SECTION 4.

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