

House Bill 729

By: Representatives Miller of the 62nd, Hugley of the 141st, Schofield of the 63rd, Paris of the 142nd, Buckner of the 137th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Public Health, so as to establish programs to provide obstetric care in low
3 access to maternity care areas and maternity care deserts; to provide for definitions; to
4 establish a student loan repayment program for certain obstetric providers; to establish a
5 grant program for certain perinatal facilities; to establish a state funded program to assist
6 certain pregnant women in obtaining obstetric care; to provide for appropriations and
7 funding; to provide for reporting; to provide for rules and regulations; to provide for related
8 matters; to provide for a short title; to provide for legislative findings; to provide for an
9 effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Georgia Maternity Care Desert Reduction
13 Act."

14 **SECTION 2.**

15 The General Assembly finds that:

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- 16 (1) Approximately 34.6 percent of Georgia's counties are classified as maternity care
17 deserts, lacking adequate maternal healthcare services;
- 18 (2) Georgia has one of the highest maternal mortality rates in the nation, with significant
19 racial disparities disproportionately affecting Black women; and
- 20 (3) Access to comprehensive maternity care is essential for reducing maternal and infant
21 mortality and promoting health equity.

22 SECTION 3.

23 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department
24 of Public Health, is amended by adding a new article to read as follows:

25 "ARTICLE 4

26 31-2A-70.

27 As used in this article, the term:

- 28 (1) 'Department' means the Department of Public Health.
- 29 (2) 'Eligible applicant' means a person who is a legal resident of this state, is an obstetric
30 provider, and provides or agrees to provide obstetric care in a low access to maternity
31 care area or a maternity care desert.
- 32 (3) 'Low access to maternity care area' means a county in this state that has limited
33 access to maternity care services, as evidenced by having only one hospital or birth
34 center offering obstetric care, fewer than 60 obstetric providers per 10,000 births, or 10
35 percent or more reproductive aged women without health insurance.
- 36 (4) 'Maternity care desert' means a county in this state that has no hospitals or birth
37 centers offering obstetric care or no obstetric providers.
- 38 (5) 'Obstetric care' means the management of low-risk, moderate-risk, and high-risk
39 pregnancies, including labor, delivery, and the postpartum period.

40 (6) 'Obstetric provider' means a licensed obstetrician-gynecologist, a licensed family
41 physician who delivers babies, a certified nurse midwife, or a licensed nurse practitioner
42 who delivers babies.

43 (7) 'Perinatal facility' means a hospital, clinic, or birthing center that provides maternal
44 or neonatal healthcare services.

45 (8) 'Recipient' means an eligible applicant who applied for and was approved by the
46 department for student loan repayment under Code Section 31-2A-71.

47 (9) 'State program participant' means a pregnant woman who resides in a low access to
48 maternity care area or maternity care desert and is uninsured or underinsured, as
49 established by rules promulgated by the department.

50 (10) 'Student loan' means debt incurred by an eligible applicant that is:

51 (A) Evidenced by a promissory note which required the funds received to be used to
52 pay for the cost of attendance for the graduate or professional education of the eligible
53 applicant;

54 (B) Not in default at the time of application for repayment under this article; and

55 (C) Not subject to an existing service obligation or to repayment through another
56 student loan repayment or loan forgiveness program or as a condition of employment.

57 31-2A-71.

58 (a) The department, in coordination with the Georgia Board of Health Care Workforce,
59 shall establish a student loan repayment program for the purpose of increasing the number
60 of obstetric providers in low access to maternity care areas and maternity care deserts.

61 (b) The department shall establish criteria, implement an application process, and award
62 recipients consistent with the provisions of this Code section.

63 (c) The department shall be authorized to provide for the repayment of student loans held
64 by recipients in consideration of the recipient performing obstetric care as an obstetric
65 provider in a low access to maternity care area or maternity care desert.

66 (d)(1) Each recipient before being granted any student loan repayment shall enter into
67 a student loan repayment agreement with the department agreeing to the terms and
68 conditions upon which the student loan repayment is granted.

69 (2) The department shall have the power to terminate a student loan repayment
70 agreement at any time for any cause deemed sufficient by the department, provided that
71 such power shall not be arbitrarily or unreasonably exercised.

72 (e) Each student loan repayment agreement entered into under the authority granted in this
73 Code section shall:

74 (1) Provide for repayment of the recipient's student loans in a total amount to be
75 determined by the department, but not exceeding the total student loan debt of the
76 recipient, to be paid out in installments made each 12 months over a term of not more
77 than five years;

78 (2) Provide that any payment made by the department under a student loan repayment
79 agreement shall be made in consideration of services rendered by the recipient
80 performing obstetric care as an obstetric provider in a low access to maternity care area
81 or maternity care desert;

82 (3) Provide that the department shall make a payment toward the recipient's student
83 loans, in an amount set forth in the agreement, for each 12 months the recipient performs
84 obstetric care as an obstetric provider in a low access to maternity care area or maternity
85 care desert; and

86 (4) Require that the recipient remain a legal resident of this state; maintain licensure in
87 this state as an obstetric provider; and perform obstetric care in a low access to maternity
88 care area or maternity care desert at all times during the term of the agreement.

89 (f) The student loan repayment program established pursuant to this Code section shall be
90 contingent upon the appropriation of funds by the General Assembly for the purposes of
91 this Code section in annual appropriations Acts of the General Assembly.

92 31-2A-72.

93 (a) The department shall establish a grant program for perinatal facilities in low access to
94 maternity care areas or maternity care deserts to use for:

95 (1) The recruitment and retention of obstetric providers;

96 (2) Facility upgrades of obstetric units that are related to obstetric care, equipment
97 purchases related to obstetric care, and the establishment of obstetric units; and

98 (3) Partnerships with larger medical centers to offer training, resources, and support for
99 obstetric care and obstetric providers.

100 (b) The department shall establish criteria, implement an application process, and award
101 grants consistent with the provisions of this Code section.

102 (c) The grant program established pursuant to this Code section shall be contingent upon
103 the appropriation of funds by the General Assembly for the purposes of this Code section
104 in annual appropriations Acts of the General Assembly.

105 31-2A-73.

106 (a) The department, in coordination with the Department of Community Health and the
107 office of the Commissioner of Insurance, shall establish a state funded program to assist
108 pregnant women in obtaining obstetric care in low access to maternity care areas or
109 maternity care deserts.

110 (b) The department shall establish criteria, implement an application process, and approve
111 services to state program participants consistent with the provisions of this Code section.

112 (c) The department shall be authorized to provide for arranging, providing, paying in part
113 or whole for, or reimbursing an obstetric provider or a state program participant for
114 obstetric care in a low access to maternity care area or maternity care desert; transportation
115 for such care; telehealth services related to such care; and child care so that a state program
116 participant can receive such care.

117 (d) The department shall provide on its public website information about the state funded
118 program provided for in this Code section.

119 (e) The state funded program established pursuant to this Code section shall be contingent
120 upon the appropriation of funds by the General Assembly for the purposes of this Code
121 section in annual appropriations Acts of the General Assembly.

122 31-2A-74.

123 (a) The department shall be authorized to accept donations, contributions, and gifts and to
124 receive, hold, and use grants, devises, and bequests of real, personal, and mixed property
125 on behalf of the state to enable the department to carry out the functions and purposes of
126 this article.

127 (b) The department shall be authorized to pursue federal funding opportunities and
128 collaborations with private entities, nonprofit organizations, and philanthropic
129 organizations to fund any of the programs established pursuant to this article.

130 31-2A-75.

131 (a) The department shall annually prepare and submit to the Governor, the President of the
132 Senate, the Speaker of the House of Representatives, and the chairpersons of the House
133 Committee on Public Health and the Senate Health and Human Services Committee for
134 distribution to its committee members a report indicating:

135 (1) The total number of eligible applicants for the student loan repayment program, total
136 number of recipients in the student loan repayment program, and amount awarded to each
137 recipient pursuant to Code Section 31-2A-71;

138 (2) The total number of perinatal facilities that applied for the grant program, total
139 number of such facilities that were awarded grants, and amount of each grant awarded
140 to each perinatal facility pursuant to Code Section 31-2A-72; and

141 (3) The total number of pregnant women who sought assistance through the state funded
142 program, total number of state program participants, type of assistance provided through
143 such program, and the amount of money used for such assistance pursuant to Code
144 Section 31-2A-73.

145 (b) The department shall regularly evaluate the effectiveness of the programs established
146 pursuant to this article and shall biennially make recommendations to the General
147 Assembly on the continuation or discontinuation or any adjustments to improve the
148 effectiveness of such programs in the annual report provided for in subsection (a) of this
149 Code section.

150 31-2A-76.

151 The department shall adopt such rules and regulations as are reasonable and necessary to
152 implement the provisions of this article."

153 **SECTION 4.**

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

156 **SECTION 5.**

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