

House Bill 677 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Dempsey of the 13th, Taylor of the 173rd, Hawkins of the 27th, Hatchett of the 155th, and Oliver of the 84th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
2 general provisions of health, so as to provide for certain placement procedures for children
3 upon discharge from a hospital or psychiatric residential treatment facility in certain
4 circumstances; to provide for related matters; to provide for applicability; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general
9 provisions of health, is amended by adding a new Code section to read as follows:

10 "31-1-26.

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

12 (1) 'Acute psychiatric care' means a level of care that is highly structured for patients
13 who are a risk to themselves or others.

14 (2) 'Health benefit policy' means any individual or group plan, policy, or contract for
15 major medical, hospitalization, or other healthcare services issued, delivered, issued for
16 delivery, or renewed in this state by a healthcare corporation, health maintenance

H. B. 677 (SUB)

17 organization, preferred provider organization, accident and sickness insurer, fraternal
18 benefit society, hospital service corporation, medical service corporation, or any similar
19 entity. Such term shall not include contracts executed by the State of Georgia on behalf
20 of state employees under Article 1 of Chapter 18 of Title 45.

21 (b) Every hospital and psychiatric residential treatment facility in this state shall adhere
22 to the following procedures for instances in which the parent, guardian, or legal custodian
23 of a child not in the custody of the Department of Human Services through the Division of
24 Children and Family Services who has received psychiatric care or acute psychiatric care
25 at such hospital or facility fails to take physical custody of such child within 48 hours of
26 a physician's discharge order from such hospital or facility:

27 (1) A task force shall be assembled which shall consist of a care coordinator, the child's
28 treating psychiatrist at the hospital or facility, or, if unavailable, the hospital or facility's
29 medical director, and, if applicable, a representative of the Department of Human
30 Services, the Department of Behavioral Health and Developmental Disabilities, the health
31 benefit policy of the child, and the Medicaid care management organization of such child;
32 and

33 (2) Such task force shall meet without delay to determine an appropriate medical or
34 community placement of such child into an appropriate environment."

35 **SECTION 2.**

36 Each task force affected by this Act shall submit by the end of each month following the
37 effective date of this Act such information as may be requested by the Multi-Agency
38 Treatment for Children (MATCH) Committee within the Georgia Department of Behavioral
39 Health and Developmental Disabilities. Such department shall submit a report to the
40 chairpersons of the House Appropriations Committee and the Senate Appropriations
41 Committee by December 31 of the year following the year in which this Act becomes
42 effective. Such report shall include the number of children and length of stay of such

43 children at a hospital or psychiatric residential treatment facility during the year that the
44 report is submitted but for a period of time no later than December 1 of that year.

45 **SECTION 3.**

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