

The House Committee on Public and Community Health offers the following substitute to SB 162:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to  
2 physicians, assistants, and others, so as to provide for the Georgia Composite Medical Board  
3 to implement an automated licensing system for certain healthcare providers in this state; to  
4 provide for requirements; to provide for the regulation of the administration of  
5 psychedelic-assisted treatment and therapy by the Georgia Composite Medical Board; to  
6 provide for definitions; to provide for standards; to provide for requirements; to provide for  
7 the establishment of rules and regulations; to provide for licensure of clinics; to provide for  
8 statutory construction; to provide for related matters; to repeal conflicting laws; and for other  
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,  
13 assistants, and others, is amended in Code Section 43-34-6, relating to board as an  
14 independent agency, by adding new subsections to read as follows:

15 "(k) No later than October 1, 2025, the board shall implement a data management software  
16 system to streamline and automate the licensing process for physicians, physician

17 assistants, and anesthesiologist assistants. No later than January 1, 2026, such system shall  
18 be fully operational for other healthcare providers licensed by the board.

19 (l) The system provided for in subsection (k) of this Code section may:

20 (1) Organize, verify, and store the licenses of healthcare providers, allowing for a single  
21 verification process that results in authorization state wide, provided that a healthcare  
22 facility, licensee, or applicant inputs the credentialing information and agrees to such  
23 authorization;

24 (2) If available, be customizable so that a healthcare facility can add requirements to  
25 meet such facility's rules, regulations, or bylaws;

26 (3) Provide a public facing page that is easily and securely accessible by other state  
27 medical boards, healthcare providers, and healthcare facilities;

28 (4) Notify any individual submitting credentials into such system when his or her  
29 application is deficient, what such deficiency is, and when such application is complete;

30 (5) Process complete applications within 30 days and process reappointments within two  
31 weeks;

32 (6) Provide for the registration of nurse protocol agreements for advanced practice  
33 registered nurses and job descriptions for licensed physician assistants and  
34 anesthesiologist assistants;

35 (7) Allow any healthcare facility to accept the information for licensing as acceptance  
36 for credentialing and any healthcare provider to add additional requirements for  
37 credentialing in their facility; and

38 (8) Perform any other functions the board deems necessary to improve licensing  
39 processes under this chapter."

40

## SECTION 2.

41 Said chapter is further amended by adding a new Code section to read as follows:

42 "43-34-49.

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

44 (1) 'Clinic' means a facility that offers the administration of psychedelic-assisted  
45 treatment and therapy, including, but not limited to, intravenous infusion of ketamine.

46 (2) 'Psychedelic-assisted treatment and therapy' means any treatment or therapy using  
47 psychedelic, dissociative, or other related substances that have the potential to produce  
48 hallucinations or rapidly induce suggestibility in the user or profound changes in  
49 perceptions of reality or the self.

50 (b) No later than December 31, 2025, the board shall establish rules and regulations for the  
51 administration of psychedelic-assisted treatment and therapy in clinics to establish  
52 consistent standards, ensure continuing competency, and promote patient safety. Such  
53 rules and regulations shall include requirements on:

54 (1) A properly equipped and maintained clinic to ensure patient safety, which may be  
55 demonstrated by appropriate accreditation or certification;

56 (2) Competency of the physician using psychedelic-assisted treatment and therapy in the  
57 absence of an anesthesiologist, anesthesiologist assistant, or certified registered nurse  
58 anesthetist, including education and relevant training;

59 (3) Proper prescribing and ordering of psychedelic-assisted treatment and therapy;

60 (4) Proper administration and management of psychedelic-assisted treatment and  
61 therapy;

62 (5) Emergency care and transfer protocols in the event of a complication or emergency;

63 (6) Maintenance of complete and accurate medical records;

64 (7) Reporting of adverse events to the board;

65 (8) Required continuing medical education; and

66 (9) Truth in advertising regarding the credentials, education, and training of the  
67 individuals administering psychedelic-assisted treatment and therapy.

68 (c) Any physician, anesthesiologist assistant, or certified registered nurse anesthetist  
69 administering, directing, or supervising psychedelic-assisted treatment and therapy in a  
70 clinic shall be subject to the rules and regulations established by the board pursuant to this  
71 Code section. The board may establish minimum standards of continuing medical  
72 education for all physicians owning a clinic. All other licensed healthcare professionals  
73 practicing in a clinic may be subject to minimum standards of continuing education  
74 established by the respective licensing board for such healthcare professional.

75 (d)(1) On and after July 1, 2026, all clinics shall be licensed by the board and shall  
76 biennially renew their license with the board. In the event that physicians in a clinic  
77 practice at more than one location, each such location shall be licensed by the board, and  
78 such license shall be nontransferable.

79 (2) Upon the filing of an application for a license, the board may cause a thorough  
80 investigation of the applicant to be made and such investigation may include a criminal  
81 background check; provided, however, that the board shall cause a thorough investigation  
82 of a new applicant to be made, and such investigation shall include a background check.  
83 If satisfied that the applicant possesses the necessary qualifications, the board shall issue  
84 a license. However, the board may issue licenses with varying restrictions to such  
85 persons where the board deems it necessary for the purpose of safeguarding the public  
86 health, safety, and welfare.

87 (3) Whenever an applicable rule requires or prohibits action by a clinic, responsibility  
88 shall be that of the owner and the physicians practicing in such clinic, whether the owner  
89 is a sole proprietor, partnership, association, corporation, or otherwise.

90 (4) The board shall deny or refuse to renew a clinic license if it determines that the  
91 granting or renewing of such license would not be in the public interest.

92 (5) A clinic shall be owned by physicians licensed in this state who meet the competency  
93 requirements for psychedelic-assisted treatment and therapy established by the board and  
94 who maintain advanced airway management training.

95 (6) All licenses shall expire biennially unless renewed. All applications for renewal of  
96 a license shall be filed with the board prior to the expiration date, accompanied by the  
97 biennial renewal fee prescribed by the board. A license which has expired for failure of  
98 the holder to renew may be late renewed after application and payment of the prescribed  
99 late renewal fee within the time period established by the board and provided the  
100 applicant meets such requirements as the board may establish by rule. Any license which  
101 has not been renewed by the end of the late renewal period shall be considered revoked  
102 and subject to reinstatement at the discretion of the board after meeting such requirements  
103 as the board may establish.

104 (e) Administration of psychedelic-assisted treatment and therapy in a clinic shall only be  
105 performed by:

106 (1) A physician licensed in this state with advanced airway management training;

107 (2) A certified registered nurse anesthetist licensed in this state under the direction and  
108 responsibility of a duly licensed physician; or

109 (3) An anesthesiologist assistant licensed in this state under the direct supervision of a  
110 duly licensed physician.

111 (f) A review of the prescription drug monitoring program database established pursuant  
112 to Code Section 16-13-57 shall be completed for each patient and documented in the  
113 patient's medical record prior to the administration of any psychedelic-assisted treatment  
114 and therapy and all administration of any psychedelic-assisted treatment and therapy shall  
115 be reported to the prescription drug monitoring program by the clinic.

116 (g) Except as otherwise provided in subsection (e) of this Code section, any person who  
117 administers psychedelic-assisted treatment and therapy in this state without a license to  
118 practice medicine from the board shall be deemed to be engaged in the unlawful practice  
119 of medicine and subject to the provisions of Code Sections 43-34-39 and 43-34-42.

120 (h) Nothing in this Code section shall be construed to permit the use of drugs or substances  
121 not approved by the federal Food and Drug Administration.

122 (i) Nothing in this Code section shall be construed to apply to the use of  
123 psychedelic-assisted treatment and therapy in a clinical facility affiliated with a hospital or  
124 in a clinical trial approved by the federal Food and Drug Administration."

125

**SECTION 3.**

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