

House Bill 795

By: Representatives Cannon of the 58th, Hugley of the 141st, Gilliard of the 162nd, Miller of the 62nd, and Berry of the 56th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,
2 relating to the Department of Public Health generally, so as to establish an Infant Wellness
3 Resource hotline service; to provide for the development and dissemination of materials
4 promoting such hotline service; to provide for the development and implementation of
5 training for staff of such hotline service; to provide for the Department of Administrative
6 Services to select healthcare professionals to deliver healthcare services via telehealth
7 through such hotline service; to provide certain persons participating in the activities of such
8 hotline service with immunity from civil and criminal liability; to authorize rules and
9 regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the
13 Department of Public Health generally, is amended by adding a new Code section to read as
14 follows:

15 "31-2A-21.

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

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- 17 (1) 'Department' means the Department of Public Health.
- 18 (2) 'Emergency' means a condition or set of circumstances demanding immediate
19 attention to prevent death or substantial and irreversible physical impairment of a major
20 bodily function.
- 21 (3) 'Healthcare professional' means a physician, nurse, or other healthcare practitioner
22 licensed, registered, or certified by the state to provide healthcare services consistent with
23 his or her scope of practice.
- 24 (4) 'Healthcare services' means services for the diagnosis, prevention, treatment, cure,
25 or relief of a physical health condition, illness, injury, or disease.
- 26 (5) 'Hotline service' means the Infant Wellness Resource hotline service established
27 pursuant to this Code section.
- 28 (6) 'Infant' means a child under three years of age.
- 29 (7) 'Telehealth' means the use of electronic information and telecommunications
30 technologies that include, at minimum, audio and video equipment permitting two-way,
31 real-time interactive communication to support and promote long-distance healthcare
32 services between a caller and a healthcare professional.
- 33 (b) Subject to available funding, the department shall establish and maintain, on a 24 hour
34 per day basis, an Infant Wellness Resource hotline service, which shall receive and respond
35 to calls from persons who are seeking help for an infant who is experiencing a health issue
36 or illness, in accordance with subsection (c) of this Code section, and for any other purpose
37 provided for in this Code section.
- 38 (c) Upon receipt of a call, hotline service staff shall promptly identify whether the call is
39 an emergency. If hotline service staff deem that the call:
- 40 (1) Is not an emergency, such staff shall either refer or directly connect the caller to
41 appropriate state and local programs, healthcare services, healthcare professionals, and
42 other resources that can be accessed by the caller and used to address, mitigate, and
43 potentially eliminate the health issue or illness. Referrals and connections made pursuant

44 to this paragraph may be facilitated through the use of telephone or digital
45 communications, including, but not limited to, text message, email, or online support
46 chat. Hotline service staff shall not provide direct healthcare services. Callers referred
47 for healthcare services under this paragraph shall be provided the opportunity to consult
48 with an authorized healthcare professional via telehealth within two business days; or
49 (2) Is an emergency, such staff shall immediately effectuate a warm hand-off of the
50 caller to staff at 9-1-1 emergency services. A warm hand-off performed under this
51 paragraph shall involve hotline service staff using teleconferencing technology to transfer
52 the call; remaining on the line and accessible to the caller during the transfer of the call;
53 formally introducing the caller to the staff member receiving the call at 9-1-1 emergency
54 services; and summarizing, for such receiving staff member, the information that
55 necessitated the transfer of the call. At no time during a warm hand-off conducted
56 pursuant to this paragraph shall a caller be placed on hold.

57 (d) The Department of Administrative Services shall, in coordination with the department,
58 select and contract with ten or more healthcare providers, as it deems necessary, to provide
59 healthcare services via telehealth pursuant to this Code section. All healthcare services
60 provided pursuant to such contracts shall be provided by healthcare professionals licensed
61 to provide such services under the laws of this state. The factors used to select such
62 healthcare professionals shall include, but shall not be limited to:

63 (1) A demonstrated ability to maximize payment for healthcare services from
64 commercial insurers and other third parties;

65 (2) The ability to provide healthcare services in a language fluently spoken by the callers
66 receiving such services;

67 (3) A demonstrated record of providing healthcare services via telehealth to infants;

68 (4) The ability to use information technology to track healthcare services provided and
69 outcomes for program evaluation purposes; and

70 (5) A financial model that allows the healthcare professional to serve all callers,
71 regardless of whether such callers make a copayment or have third-party insurance
72 coverage.

73 (e) The department shall, subject to the availability of funding, develop, implement, and
74 disseminate materials and training, including, but not limited to, the following:

75 (1) Training programs and curricula to be used in training hotline service staff to
76 recognize and respond to an emergency; to identify the appropriate state and local
77 programs, healthcare services, healthcare professionals, and resources for callers; and to
78 use any technology related to carrying out the provisions of subsection (c) of this Code
79 section;

80 (2) Promotional materials to be placed in conspicuous places throughout the state in clear
81 view of the public where similar notices are customarily posted; and

82 (3) A description of the hotline service to be placed on the department's website.

83 (f)(1) In addition to the general administration of the hotline service, funds appropriated
84 for the hotline service may be expended for the following purposes:

85 (A) Reimbursing healthcare professionals for healthcare services provided to callers
86 who do not have coverage under government or private policies;

87 (B) Developing and implementing training as provided in subsection (e) of this Code
88 section; and

89 (C) Developing and disseminating promotional materials as provided in subsection (e)
90 of this Code section.

91 (2) Funds appropriated for the hotline service shall not be used to reimburse any person
92 for copayments required by a commercial insurance policy.

93 (g) Any person or persons participating in making referrals to callers or connecting callers
94 with state and local programs, healthcare services, healthcare professionals, and other
95 resources pursuant to this Code section or participating in any judicial proceeding or any
96 other proceeding resulting from such referrals or connections shall in so doing be immune

97 from any civil or criminal liability that might otherwise be incurred or imposed, provided
98 that such participation pursuant to this Code section or any other law is made in good faith.
99 (h) The department is authorized to adopt rules and regulations to implement the
100 provisions of this Code section."

101 **SECTION 2.**

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