

House Bill 1192 (AS PASSED HOUSE AND SENATE)

By: Representatives Taylor of the 173rd, Efstoration of the 104th, Hugley of the 141st, Hatchett of the 155th, Stephens of the 164th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 49 of the Official Code of Georgia Annotated, relating to public assistance,
2 so as to provide for certain accounting practices by the Department of Human Services and
3 the Department of Community Health; to provide for funds for specific purposes; to provide
4 for annual review; to provide for annual reports; to provide for related matters; to provide for
5 an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 49 of the Official Code of Georgia Annotated, relating to public assistance, is amended
9 in Chapter 2, relating to Department of Human Services, by revising Code Section 49-2-10,
10 relating to state appropriations and state, county, and federal welfare funds are for public
11 purpose, as follows:

12 "49-2-10.

13 (a) For the purpose of carrying out the duties and obligations of the department for
14 performance of welfare services of the state, for administrative costs, for matching such
15 federal funds as may be available for all of the aforesaid services, for the purpose of
16 establishing an equalization fund to be used in assisting those counties which may be
17 unable otherwise to bear their proportionate share of the expenses of administration and of

18 dispensing the benefits provided for under this title, and for dispensing all of the benefits
19 provided for under this title, the General Assembly shall make appropriations out of the
20 general fund of the state or otherwise for the various and separate activities of the
21 department. All funds appropriated or allocated to the department or to the county
22 departments by the General Assembly, the fiscal authorities of the respective counties, and
23 by the federal government through its appropriate agencies and instrumentalities are
24 declared to be funds provided for a public purpose; and all appropriations provided for in
25 this Code section and hereafter may be expended and distributed by the department for the
26 purposes provided for under this title.

27 (b)(1) Any funds appropriated or allocated to the department by the General Assembly
28 that are designated for a specific purpose shall not be commingled with other funds, shall
29 be maintained in a separate account, and shall not be expended for any other purpose
30 except the designated specific purpose.

31 (2) Any federal funds that are designated for a specific purpose shall not be commingled
32 with other funds, shall be maintained in a separate account, and shall not be expended for
33 any other purpose except the designated specific purpose.

34 (c) The commissioner shall annually review department practices and procedures,
35 contracts and agreements, and accounting practices to identify cost savings achieved and
36 operational efficiency opportunities. No later than December 31, 2026, and annually
37 thereafter, the commissioner shall report the findings of such reviews to the chairpersons
38 of the House Committee on Appropriations and the Senate Appropriations Committee and
39 the chairpersons of the House Committee on Public and Community Health and the Senate
40 Health and Human Services Committee."

41 **SECTION 2.**

42 Said title is further amended in Chapter 4, relating to medical assistance generally, by
43 revising Code Section 49-4-144, relating to chief administrative officer and powers and
44 duties, as follows:

45 "49-4-144.

46 (a) The commissioner of community health established under Chapter 2 of Title 31 shall
47 be the chief administrative officer of the department and, subject to the general policy
48 established by the board, shall supervise, direct, account for, organize, plan, administer, and
49 execute the functions vested in the department.

50 (b) The commissioner shall ensure that:

51 (1) Any funds appropriated or allocated to the department by the General Assembly that
52 are designated for a specific purpose shall not be commingled with other funds, shall be
53 maintained in a separate account, and shall not be expended for any other purpose except
54 the designated specific purpose; and

55 (2) Any federal funds that are designated for a specific purpose shall not be commingled
56 with other funds, shall be maintained in a separate account, and shall not be expended for
57 any other purpose except the designated specific purpose.

58 (c) The commissioner shall annually review department practices and procedures, provider
59 agreements, rebate programs and agreements, and accounting practices to identify cost
60 savings achieved and operational efficiency opportunities. No later than December 31,
61 2026, and annually thereafter, the commissioner shall report the findings of such reviews
62 to the chairpersons of the House Committee on Appropriations and the Senate
63 Appropriations Committee and the chairpersons of the House Committee on Public and
64 Community Health and the Senate Health and Human Services Committee."

65 **SECTION 3.**

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

68 **SECTION 4.**

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