



2017 Legislative Summary

Compared to the last few years, the 2017 session kept a somewhat lower profile, but still had its fair share of twists, turns, frustrations, and bridge collapses.

Throughout the session, physicians, patients, care givers, et al, took part in voicing their concerns to legislators and it made a difference. Several times the State Senate phone system was shut down due to the influx of calls. These calls were particularly influential on [SB 81](#), an onerous PDMP bill sponsored by Senator Renee Unterman.

Hot Button Topics

Education

After his Opportunity School District proposal failed on the ballot in November, Gov. Deal made his second move with [HB 338](#), or the First Priority Act, aimed at turning around low-performing schools. While initially filed without any dedicated source of funding, the legislature ultimately agreed to write it into the budget with about \$2.2 million. Also in the budget is a 2% pay raise for teachers, and it is built into their salary this year so the increase is permanent and counts towards their pensions.

Senate Chamber on Sine Die, 1:30 am



Casinos

An attempt was made to establish 'destination resorts' with proceeds planned to benefit the HOPE scholarship. The momentum fizzled early, and the bill was pulled in February; however, you can bet we haven't seen the last of this kind of legislation.

Firearms

The legislature passed another campus carry bill (Deal vetoed one last year,) allowing anyone age 21 and up to carry a concealed handgun on campus with a state-issued permit. Lawmakers carved out a lot to convince Gov. Deal to sign [HB 280](#), including student housing, athletic facilities, on-campus preschools and buildings where high school-age students attend classes at some technical colleges.

Adoption

Everyone agrees that Georgia adoption laws need to be updated, and [HB 159](#), a bipartisan measure sponsored by state Rep. Bert Reeves looked promising. But on *sine die* a late-hour RFRA amendment to allow some private agencies to refuse to place children with same-sex couples kept the bill from making it through this session.

Medical Marijuana

By passing [SB 16](#) lawmakers expanded Georgia's medical marijuana law. It adds six conditions to Georgia's existing law including Alzheimer's, AIDS, peripheral neuropathy, autism, Tourette syndrome, and the painful skin disorder epidermolysis bullosa. (Sponsor Rep. Allen Peake has already filed another marijuana bill for next year.)

Sexual Assault on Campus

A large source of drama was Rep. Earl Ehrhart's [HB 51](#) seeking to change the way post-secondary schools investigate and punish allegations of sexual assault on college campuses. After being tabled and resurrected on the second-to-last day of the Session, the proposal ultimately failed.

Highlight Legislation for RTs

[SB 41](#) Durable Medical Equipment

Defines durable medical equipment; grants the Board of Pharmacy authority over DME licenses; creates the licensure process; lists entities exempted from licensure (including health care practitioners under certain circumstances); and requires the board to promulgate rules.

[HR 240](#) Joint Study Committee Georgians' Barriers to Access to Adequate Health Care, which reads, in part:

The tasks of this committee are to:

- Assess the need for an asthma and COPD state plan to take effect in 2019
- Measure the effectiveness of Medicaid's and the state health benefit plan's coordinated and managed behavioral health services, substance abuse treatment, bariatric treatment, and adult immunizations
- Examine the risk adjustment between the Medicaid and state health benefit plans, including high risk patients with behavioral conditions and early onset of chronic disease
- Examine the benefit package for gap-group and Medicaid enrollees and analyze their needs
- Assess the HIV laws' alignment with current evidence regarding HIV transmission risk and consider whether these laws are the best vehicle to achieve their intended purpose
- Examine comprehensive behavioral health services for those suffering from serious mental illness which have been demonstrated to have a positive impact on medical outcomes and reduced burdens on patients, providers, families, and society

HR 240 reads, in part:

"WHEREAS, severe asthma affects a small subpopulation of patients with asthma but has a disproportionately high economic, clinical, and social burden for patients, their caregivers and families, employers, and the health care system; and

WHEREAS, the current asthma state plan expires in 2018; identifying barriers to effective prevention, screening, medication adherence, and treatment for asthma, severe asthma, and chronic obstructive pulmonary disease (COPD) would be in the state's interest;"

The committee will be composed of: "five members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The Speaker shall also appoint an additional four nonlegislative members of the committee as follows: one practicing psychiatrist, **one practicing respiratory therapist**, one practicing infectious disease physician, and one practicing physician. "

Other Legislation Passed & Sent to the Governor

[HB 157](#) **Medical Advertising**

Repeals language from 2016 (HB 1043) limiting the advertising and publicizing of medical specialty certification to specific board certifications.

[HB 165](#) **Maintenance of Certification**

States that MOC cannot be required under the medical practice act to be a prerequisite to licensure, hospital privileges, insurance panels, or malpractice insurers.

[HB 206](#) **Pharmacy Audit Bill of Rights**

Disallows scriveners' errors and the like from constituting fraud as a basis to recoup payment for medical assistance provided.

[HB 231](#) **Controlled Substances - Dangerous Drug Bill**

Annual Update Reclassification of non-prescription fentanyl; classifies a synthetic opioid, (commonly known as U-4770) as a Schedule I drug.

[HB 292](#) **Firearms – Expanded Conceal Carry**

Cleans up existing gun laws and make it easier for anyone declared ineligible for a weapons permit for mental health reasons to petition the court to regain that right.

[SB 121](#) **NARCAN**

Codifies Governor Deal's executive order making naloxone available over the counter.

[SB 200](#) **Synchronizing Patients' Chronic Medications**

Requires insurers to cover, at a prorated daily cost-sharing rate, prescriptions that are dispensed for less than 30-days where the fill is in the best interest of the patient or is for synchronizing the insured patient's chronic medications.

Bills Carrying over into 2018 Session

[HB 400](#) **Opioid Abuse Prevention Act**

Limits opioid prescriptions to 7 days with no refills and requires prescribers to accept unused medications.

[HB 517](#) **Imaging Equipment** Requires diagnostic imaging equipment to be registered with DCH - requirements include no equipment may be greater than 5 years old if purchased or leased after July 1, 2017, must have most recent version of the software, accredited by the entity approved by DCH, approved by CMS, CT equipment must have a radiation survey and the most recent radiation management software offered by the department, equipment must be covered by a continuous maintenance service agreement, must have architectural drawings for the installation and a certificate of occupancy; provides for penalties.

[HB 152](#) **Firefighter Occupational Disease**

Provides that cancer can count as an occupational disease for firefighters.

RESOLUTIONS

HR 133 Georgia Board for Physician Workforce Scholarship Program

HR 36 Medical Cannabis

HR 114 Physician's Day

HR 129 Resurgens Orthopaedics Advocacy Day

HR 111 Self Care Month

HR 396 National Immunization Awareness Month

HR 431 House Study Committee on the Ramifications of Changes in Federal Health Care Policy

HR 464 House Study Committee on Infectious Disease Preparedness

HR 468 House Study Committee on Health in GA

HR 500 Promote Availability of HPV Vaccination

HR 589 Repeal ACA

HR 745 House Study Committee on Surprise Insurance Gap Coverage

SR 18 Addiction Recovery Awareness Day

SR 40 Health Information Technology Day

SR 62 Resurgens Orthopaedics Advocacy Day

SR 63 Self Care Month

SR 72 Physician's Day

SR 188 APRN Scope Study Committee

SR 241 GA AIDS Coalition

SR 281 National Immunization Awareness Month

SR 317 Urging Resolution to US Congress - Study on Medical Marijuana in GA

SR 465 HIV Related Criminal Laws

GSRC held its Capitol Day event on March 20 in the Rotunda of the State Capitol Building



The FY2018 Budget

State lawmakers agreed to almost everything Governor Deal recommended in January, including: a 2% pay raise for state employees and University System staffers; a 19% pay raise for child protective services workers; a 3% bonus for state government retirees. Additionally, the state will spend more than 2 billion on new schools, college buildings, roads and bridges, or on fixing the ones already built. HOPE scholars will get 3% bigger scholarships. The state will also increase how much is paid to doctors, dentists, nursing homes and others who treat the more than 1.5 million Georgians who get their health care from Medicaid. Here are some other budget highlights:

- \$5.4 million for 107 new child welfare workers
- \$19.3 million for waivers that allow Georgians with physical or intellectual disabilities to receive care at home or in the community
- \$11 million for a new Integrated Eligibility System to more efficiently help qualified Georgians gain access to Medicaid

- Authorization for the Department of Community Health to use settlement funds for behavioral health services to children ages 0-4 (\$8 million total public funds)
- \$300,000 to the Department of Education for statewide Positive Behavioral Intervention & Supports (PBIS) trainers
- A no-cost agreement to use existing funds realized as savings from a decline in student enrollment in the Georgia Network for Educational and Therapeutic Supports (GNETS) program to improve instructional practices and support behavioral and therapeutic services contracts
- Department of Human Services, Division of Family and Children Services:
 - \$31 million total public funds, including approximately \$26 million in state funds, to increase child welfare services worker salaries by 19%
 - Nearly \$4 million total public funds, including \$2.9 million in state funds, for 80 additional foster care support services employees
 - \$500,000 increase to CASA to increase the program's statewide capacity
 - \$300,000 to increase DFCS SAAG compensation to \$57.50 per hour
 - \$2.5 million for 25 additional human resource employees to meet recruitment demands
 - \$20.2 million to support growth in foster care
 - \$10.7 million to increase the foster parent per diem by 57%
 - Almost \$15 million for the first installment of a two-year plan to increase the relative foster care provider per diem rates by \$10
 - \$5.2 million for the first installment of a two-year plan to increase child placement agency foster parent per diem rates by \$10

Looking Forward

2018 Election Outlook

Rep. Wendell Willard (R-51) will not be seeking re-election.

Rep. John Pezold (R-133) rumored to not be seeking re-election.

Formally Announced for 2018 (as of early April 2017)

Secretary of State Brian Kemp will be running for Governor.

Rep. Buzz Brockway (R-102) will be running for Secretary of State.

Considering Higher Office in 2018

For Governor:

Lt. Gov. Casey Cagle

Rep. Stacey Evans (D-42)

Rep. Stacey Abrams (D-89)

For Secretary of State:

Sen. Hunter Hill (R-6)

Rep. Brad Raffensperger (R-50)

For Lieutenant Governor:

Sen. David Shafer (R-48)

Sen. Butch Miller (R-49)

Rep. Geoff Duncan (R-26)

Others:

Sen. Michael Williams (R-27)

Sen. Burt Jones (R-25)

Sen. Josh McKoon (R-29)

Keep Up with the Action

Nathan Deal has until May 9th to sign and/or veto all of the legislation passed this session. Bills that he does not sign and does not veto automatically become law after that day.

Click here to follow which pieces of legislation have been graced by the Governor's pen.