

# Legislative Update February 12, 2018

## Status Code Legend

- Beneficial for Mental Health/Support
- Watching Details for Impact
- Detrimental for Mental Health/Against
- Unlikely to move/Off the table

## Senate Bills

<p>SB 188: Medications Sen. James (D)</p>	<ul style="list-style-type: none"> <li><span style="color: orange;">●</span> A BILL to be entitled an Act to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to health, so as to require each local board of education to adopt a policy prohibiting school personnel from taking certain actions in regards to a parent or guardian placing, or not placing, a student on psychotropic medication; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Recommended to the Education and Youth Committee</b></li> </ul>
<p>SB 40: EMS Transport Unterman (R):</p>	<ul style="list-style-type: none"> <li><span style="color: grey;">●</span> A BILL to be entitled an Act to amend Article 3 of Chapter 3 of Title 37 of the Official Code of Georgia Annotated, relating to examination, hospitalization, and treatment of involuntary patients, so as to provide for authorization of emergency medical services personnel to transport certain mentally ill patients under certain circumstances; to provide for reporting requirements; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Likely off the table</b></li> </ul>
<p>SB 4: Mental Health Task Force and Mental Health Waiver - Sen. Unterman</p>	<ul style="list-style-type: none"> <li><span style="color: orange;">●</span> <b>Status: House/Senate Disagreed needs sub wording. May benefit from off-session conversations and study committee work – SB 352 and SB 357 both arose from the established study committee – Will be removed.</b></li> </ul>
<p>SB 352: Create Director of Substance Abuse, Addiction, and Related Disorders Sen. Unterman (R )</p>	<ul style="list-style-type: none"> <li><span style="color: green;">●</span> A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the O.C.G.A., relating to general provisions relative to health, so as to prohibit patient brokering; to create a director of Substance Abuse, Addiction, and Related Disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the O.C.G.A., relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Passed Senate moving to House</b></li> </ul>
<p>SB 357: Create the Health Coordination and Innovation Council Sen. Burke (R )</p>	<ul style="list-style-type: none"> <li><span style="color: green;">●</span> A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Passed the Senate Moving to House</b></li> </ul>

## House Bills

<p>HB 77: School Based Education Materials Rep. Kendrick (D) Katie Dempsey (R)</p>	<ul style="list-style-type: none"> <li>● A BILL to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to student health in elementary and secondary education, so as to provide for the development of a list of training materials in mental health, behavioral disabilities, and learning disabilities; to provide that no cause of action is created; to provide that no duty of care is created; to provide for related matters; to repeal conflicting laws; and for other purposes.</li> </ul>
<p>HB 173: Family Therapists Joyce Chandler (R)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Title 37 of the Official Code of Georgia Annotated, relating to mental health, so as to authorize marriage and family therapists to perform certain acts which physicians, psychologists, and others are authorized to perform regarding emergency examinations of persons for involuntary evaluation and treatment for mental illness or alcohol or drug abuse; to define certain terms; to provide for related matters; to provide for multiple effective dates; to repeal conflicting laws; and for other purposes. <b>Status: Unlikely to move this session. Failed to emerge from committee last year.</b></li> </ul>
<p>HR 354: School Based-Education Materials (Resolution ) Rep. Kendrick-(D)</p>	<p>A RESOLUTION urging the Georgia Department of Education, in consultation with the Department of Behavioral Health and Developmental Disabilities and mental health experts, to develop and provide to local school systems a list of training materials that would serve to increase awareness of mental health issues and behavioral and learning disabilities; and for other purposes. <b>Status: A non-binding resolution that will likely require an appropriation.</b></p>
<p>HB 267: Paid Sick Leave Act Rep. Alexander (D)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Title 34 of the O.C.G.A., relating to labor and industrial relations, so as to require all employers to implement paid sick leave for employees; to provide for exceptions; to specify purposes for which paid sick leave may be taken and the rate at which paid sick leave accrues; to require advance notice of intention to use sick leave under certain circumstances; to provide for verification of the need for sick time in certain circumstances; to provide for record keeping; to prohibit discrimination against an employee for inquiring about or using paid sick leave; to make a violation of an unlawful practice subject to the jurisdiction of the Department of Labor; to authorize a civil action for any violation; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Unlikely to move</b></li> </ul>
<p>HB 607: Psychiatric Advance Directive Rep. Pat Gardner (D)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Title 37 of the O.C.G.A., relating to mental health, so as to provide for a psychiatric advance directive; to provide for a competent adult to express his or her mental health care treatment preferences and desires directly through instructions written in advance and indirectly through appointing an agent to make mental health care decisions on behalf of that person; to provide for construction of such form; to amend Code Section 16-5-5 and Title 31 of the O.C.G.A., relating to assisted suicide and notification of licensing board regarding violation and health, respectively, so as to include cross-references to the psychiatric advance directive and provide for consistent terminology; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Pending.</b></li> </ul>
<p>HR 627: MH and Addiction Funding Rep. Rakeshaw (R):</p>	<p>A RESOLUTION creating the House Study Committee on Mental Health and Addiction Treatment Funding Mechanisms; and for other purposes. <b>Status: Likely to be supplanted by other bills/resolutions.</b></p>

<p>HB 659: MH Emergency Exam Rep. Alexander (D)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Title 37 of the Official Code of Georgia Annotated, relating to mental health, so as to provide for the execution of a physician's certificate for emergency examination of a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse based on consultation with an emergency medical technician or paramedic who has personally observed the person; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Pre-filed</b></li> </ul>
<p>HB 669: Medicaid Expansion Rep Trammell Rep Park Rep Gonzalez</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for the authorization of appropriations for the purposes of obtaining federal financial participation for medical assistance payments to providers of Medicaid expansion under the federal Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010; to provide for a maximum percent of the federal poverty level; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Assigned to Appropriations Committee at first read on Jan 11, 2018.</b></li> </ul>
<p>HR 888: Creation of Joint Study Committee Rep Spencer</p>	<p>A RESOLUTION Creating the Joint Study Committee on Converting Closed Hospitals to Veterans Homes; and for other purposes. <b>Status: Defense and Veterans Affairs Hearing Monday (2/12)</b></p>
<p>HB 519: Step Therapy Rep. Sharon Cooper ( R) Rep Bruce Broadrick (R)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to require health benefit plans to utilize certain clinical review criteria to establish step therapy protocols; to provide for a step therapy override determination process; to provide for definitions; to provide for statutory construction; to provide for rules and regulations; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes <b>Status: House Insurance Committee Hearing on Monday (2/12).</b></li> </ul>
<p>HB 678: Insurance Disclosure Rep. Richard Smith ( R)</p>	<ul style="list-style-type: none"> <li>● Requires healthcare providers to tell patients which health insurance plans they accept before non-emergency treatment. If they do not have an agreement with a patient's health insurance provider, they must disclose the estimated amount the health care provider, group practice, diagnostic and treatment center, or health center will bill the patient or prospective patient for health care services when the patient asks. Information about who ancillary providers will be in the process of treatment must also be provided when asked. Likewise, insurance providers must make accessible information which could help clients assess out-of-network costs. <b>Status: House Insurance Committee Favorably Reported by Substitute</b></li> </ul>
<p>HB 733: Loan Forgiveness for Rural Health Professional Rep Alexander (D) Rep Cooper ( R) Rep Dempsey</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 34 of Title 31 of the Official Code of Georgia Annotated, relating to medical professionals for rural areas assistance, so as to expand the service cancelable loan program for certain health professionals in underserved rural areas to psychiatrists in areas that are lacking in mental health services; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Assigned to Health and Human Services on first read Jan 25, 2018</b></li> </ul>
<p>HB 716: Pre-Arrest Diversion for Drug and Mental Health Treatment Act Rep Rakestraw ( R) Rep Powell ( R)</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to enact the "Georgia Pre-Arrest Diversion for Drug and Mental Health Treatment Act"; to amend Title 35 of the O.C.G.A., relating to law enforcement officers and agencies, so as to provide for self-referral to law enforcement officers and agencies by persons seeking treatment for drug or alcohol abuse or dependence or mental health issues; to amend Article 1 of Chapter 13 of Title 16 of the O.C.G.A., relating to general provisions regarding controlled substances; to amend</li> </ul>

	<p>Chapter 1 of Title 15 of the O.C.G.A., relating to general provisions regarding courts; to amend Article 2 of Chapter 7 of Title 37 of the O.C.G.A., relating to hospitalization and treatment of voluntary patients; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Assigned to Judiciary Non-Civil</b></p>
<p>HB 719: Veteran Homelessness Rep Scott (D) Rep Hitchins (R )</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Part 2 of Article 1 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to powers of housing generally, so as to require housing authorities to develop and implement policies granting housing preferences to veterans who are homeless individuals; to provide for exemptions; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Assigned to Defense and Veterans Affairs</b></li> </ul>
<p><b>HB 799:</b> Insurance; certain requirements for out of network hospitals prior to post-stabilization care Cooper (R )</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Article 1 of Chapter 20A of Title 33 of the Official Code of Georgia Annotated, relating to patient protection under managed health care plans, so as to provide certain requirements for out of network hospitals prior to providing post-stabilization care; to provide for definitions; to provide for contact with the patient's health benefit plan or the plan's contracted health care provider; to provide for transfer to an in network hospital; to provide for cost coverage associated with care and transfer; to provide for certain notice; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>Status: Assigned House Insurance Committee</b></li> </ul>
<p><b>HR 913:</b> Study Committee on Incorporating Law Enforcement in Pathway to Treatment Rep Rakestraw (R )</p>	<p>A RESOLUTION creating the House Study Committee on Incorporating Law Enforcement in the Pathway to Treatment and Social Services for Persons Having Challenges with Drug Use and Mental Health; and for other purposes. <b>Status: Assigned to Public Safety and Homeland Security</b></p>

## Additional Information

2/12 House Insurance Committee Meeting - Hearing for HB 519 (Step Therapy)  
 2/26 Mental Health Monday  
 2/28 Cross Over Day  
 3/29 Sine Die