

# Legislative Update February 14, 2020

Status Code Legend

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

## Senate Bills

<p>SB 288: Criminal History Record Information; automatic restriction; final disposition other than a conviction Anderson-43<sup>rd</sup></p>	<p>Restricts access to criminal records where arrests did not result in a conviction, or where certain conditions have since been met (e.g., ten years have elapsed since the conviction, or drug court treatment program or mental health treatment program have been completed).</p> <p><b>STATUS: Senate Judiciary Committee.</b></p>
<p>SB 311: Health; patient brokering; prohibit; Kirkpatrick, Kay 32<sup>nd</sup> Unterman, Renee 45<sup>th</sup> Robertson, Randy 29<sup>th</sup> Burke, Dean 11<sup>th</sup>; Rhett, Michael 'Doc' 33<sup>rd</sup></p>	<p>A BILL to be entitled an Act to amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to prohibit patient brokering; to provide for definitions; to provide for exceptions; to provide for penalties; to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to provide that excessive, fraudulent, or high-tech drug testing of certain individuals is considered a fraudulent insurance act; to provide for investigation by the Commissioner of Insurance; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>Status: Judiciary</b></p>
<p>SB 313: Pharmacy Benefits Managers (PBMs); regulation and licensure; extensive revisions Senators Burke 11, Watson 1st, Dugan 30<sup>th</sup>, Kennedy 18<sup>th</sup> Hufstetler 52<sup>nd</sup></p>	<p>A BILL to be entitled an Act to amend Chapter 64 of Title 33 of the O.C.G.A., relating to regulation and licensure of pharmacy benefits managers, so as to provide extensive revisions regarding pharmacy benefits managers; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.</p> <p><b>STATUS: Senate Insurance and Labor</b></p>
<p>SB 359: Surprise Billing Consumer Protection Act'; certain consumer protections against surprise billing; provide Hufstetler 52<sup>nd</sup>, Tillery 19<sup>th</sup> Strickland 17<sup>th</sup>, Albers 56<sup>th</sup> Kirkpatrick 32, Watson 1st</p>	<ul style="list-style-type: none"> <li><span style="color: green;">●</span> A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for certain consumer protections against surprise billing; to provide mechanisms to resolve payment disputes between insurers and out-of-network providers regarding the provision of healthcare services; to require the department to provide for the maintenance of an all-payer health claims data base; to provide for in-network cost-sharing amounts in healthcare plan contracts; to establish an arbitration process; to require the Commissioner of Insurance to contract with one or more resolution organizations; to require the promulgation of department rules; to provide for an effective date; to repeal conflicting laws; and for other purposes.</li> </ul>

	<p><b>Status: Health and Human Services</b></p>
<p>Senate Bill 365 Dangerous Instrumentalities and Practices (Brady Law) Karinshak 48, Jackson 2, Jones 10, Jordan 6, Davenport 44</p>	<p>A BILL to be entitled an Act to amend Article 4 of Chapter 11 of Title 16 and Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices and the Georgia Crime Information Center, respectively, so as to provide for the comprehensive revision of certain provisions regarding Brady Law regulations; to amend Article 2 of Chapter 6 of Title 5 of the Official Code of Georgia Annotated, relating to appellate practice, so as to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>STATUS: Senate Judiciary</b></p>
<p>SB366: Senators Karinshak of the 48th, Jones of the 10th, Jordan of the 6th, Davenport of the 44th, Rahman of the 5th</p>	<p>A BILL to be entitled an Act to amend Part 5 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to Brady Law regulations, so as to require universal background checks in all manner of firearm transfers and purchases; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>STATUS: Senate Judiciary</b></p>
<p>SR 546: Bailey, Ms. Dottie; commend; Mental Health Alert Wristband; local law enforcement agencies to purchase and freely distribute; encourage Ligon, Jr., William 3<sup>rd</sup> Brass, Matt 28<sup>th</sup> Watson, Ben 1<sup>st</sup> Robertson, Randy 29<sup>th</sup> Kirkpatrick, Kay 32<sup>nd</sup></p>	<ul style="list-style-type: none"> <li>● A RESOLUTION encouraging local law enforcement agencies, psychiatric facilities, doctors, and therapists to purchase and freely distribute Mental Health Alert Wristbands to those suffering from mental illness; commending Ms. Dottie Bailey for developing the Mental Health Alert Wristband; and for other purposes. <b>Status: Health and Human Services</b></li> </ul>

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House Bills

<p>HB 544: Mental health; procedures regarding emergency involuntary treatment; revise Estration Chuck 104 Oliver, Mary Margaret 82</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 7 of Title 37 of the Official Code of Georgia Annotated, relating to hospitalization and treatment of alcoholics, drug dependent individuals, and drug abusers, so as to revise procedures regarding emergency involuntary treatment; to require the affidavits of the persons upon which an emergency involuntary treatment order is based to be made part of the patient evaluation and among the documents that influence treatment decisions; to provide for notification of such persons; to allow such persons to be designated as patient representatives; to provide for related matters; to repeal conflicting laws; and for other purposes.</li> </ul> <p><b>Status: Judiciary; Hearing 1/27 Chairman Kelley will establish working group to discuss impact and potential for implementation</b></p>
<p>HB 726: Law enforcement officers and agencies; enter report of missing persons into a certain database maintained by the National Institute of Justice of the United States Department of Justice; Taylor Darlene - 173<sup>rd</sup></p>	<p>Requires law enforcement agencies to enter the report of missing persons into the data base of missing persons maintained by the National Institute of Justice of the United States Department of Justice. The term "missing persons" is defined as a person whose whereabouts are unknown and who is believed to be in danger because of age, physical or mental health, or physical or mental disability as well as environmental or weather conditions.</p> <p><b>STATUS: House Public Safety and Homeland Security Committee.</b></p>
<p>HB 748: Health; measures to improve health care access for low-income senior individuals Bruce, Roger</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to care and protection of indigent and elderly patients, so as to provide for measures to improve health care access for low-income senior individuals; to provide for eligibility requirements; to provide for application forms; to provide for effectiveness subject to appropriation of funds; to provide for related matters; to provide for legislative findings; to repeal conflicting laws; and for other purposes.</li> </ul> <p><b>Status: House pre-filed</b></p>
<p>HB 751: Anti-Red Flag - Second Amendment Conservation Act Pullin, Ken 131<sup>st</sup>; Cooke, Kevin 18<sup>th</sup>; Gurtler, Matt 8<sup>th</sup>; Singleton, Philip 71<sup>st</sup>; Moore, Colton 1<sup>st</sup>; Gullett, Joseph 19<sup>th</sup></p>	<p>A BILL to be entitled an Act to amend Code Section 16-11-173 of the Official Code of Georgia Annotated, relating to legislative findings, preemption of local regulation and lawsuits, and exceptions, so as to occupy and preempt the entire field of legislation in this state involving extreme risk protection orders; to provide for a definition; to prohibit the enforcement of federal and other extreme risk protection orders in this state; to provide for a criminal offense; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>Status: Assigned to House Judiciary Committee</b></p>
<p>HB 760: Mental health; authorization of peace officers to take a person to a physician or emergency receiving facility Cooper, Sharon 43<sup>rd</sup>; Lumsden, Eddie 12<sup>th</sup></p>	<p>A BILL to be entitled an Act to amend Chapter 3 of Title 37 of the Official Code of Georgia Annotated, relating to examination and treatment for mental illness, so as to provide for authorization of peace officers to take a person to a physician or emergency receiving facility for emergency examination under certain circumstances; to provide for immunity; to provide for reports; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>Status: Assigned to Public Safety and homeland Security; This bill will likely move to BHReform &amp; Innov Commission</b></p>

<p>HB 772: Green Call Act Scott, Sandra 76<sup>th</sup> Williams, Al 168<sup>th</sup> Jackson, Derrick 64<sup>th</sup> Schofield, Kim 60<sup>th</sup> Beasley-Teague, Sharon</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of Investigation, so as to provide for a green alert program to notify the public when a veteran or military service member known to have a physical or mental health condition related to his or her service, or who is at imminent risk of self-harm, is missing; to provide for definitions; to provide for procedures and cooperation of state agencies; to provide for certain immunities; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.</li> </ul> <p><b>Status: Defense and Veteran's Affairs</b></p>
<p>HB789: Insurance; creation of a surprise bill rating system based Newton, Mark 123<sup>rd</sup> Jones, Jan 47<sup>th</sup> Hatchett, Matt 150<sup>th</sup> Gaines, Houston 117<sup>th</sup> Wiedower, Marcus 119<sup>th</sup> Burns, Jon 159<sup>th</sup></p>	<p>Insurance; creation of a surprise bill rating system based upon the number of certain physician specialty groups contracted with a hospital within a health insurer's network; provide</p> <p>A BILL to be entitled an Act to amend Chapter 20C of Title 33 of the Official Code of Georgia Annotated, relating to accurate provider directories, so as to provide for the creation of a surprise bill rating system based upon the number of certain physician specialty groups contracted with a hospital within a health insurer's network; to provide for definitions; to provide for a requirement that insurers include hospital surprise bill ratings online and in print provider directories; to provide for a requirement that each insurer that advertises any hospital as in-network shall disclose such hospital's surprise bill rating within such advertisement; to provide for related matters; to repeal conflicting laws; and for other purposes.</p> <p><b>Status: Special Committee on Access to Quality Healthcare</b></p>
<p>HB 792: Appropriations Supplemental FY2020 Ralston. Jones, Burns, England</p>	<p>Supplemental appropriations; State Fiscal Year July 1, 2019 - June 30, 2020</p>
<p>HB 793: Appropriations FY 2021 Ralston. Jones, Burns, England</p>	<p>General appropriations; State Fiscal Year July 1, 2020 - June 30, 2021</p>
<p>HB 842: Gracie's Law Williams, R. 145<sup>th</sup></p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to prohibit providers from discriminating against potential organ transplant recipients due solely to the physical or mental disability of the potential recipient; to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit health insurers from discriminating against potential organ transplant recipients due solely to the physical or mental disability of the potential recipient; to provide for a short title; to provide for legislative findings; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes</li> </ul> <p><b>Status: Insurance Committee</b></p>
<p>HB 855: State Board of Education; determine eligibility criteria for foster care students to receive</p>	<ul style="list-style-type: none"> <li>● A BILL to be entitled an Act to amend Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to educational programs, so as to direct the State Board of Education to determine eligibility criteria for foster care students to receive special education and related services; to require the Department of Education to provide guidance to local school systems; to require local school systems to immediately determine whether to initiate the initial evaluation process for newly</li> </ul>

<p>special education and related services Wiedower 119, Jasperse 11, Gaines 117, McCall 33rd, Reeves of the 34</p>	<p>enrolled foster care students; to require the State Board of Education to develop rules and regulations; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes. <b>STATUS: House Education Committee</b></p>
<p>HB 888: Surprise Billing Consumer Protection Act; enact Hawkins, Lee 27<sup>th</sup>, Lott, Jodi 122<sup>nd</sup>, Rogers, Terry 10<sup>th</sup>, Lumsden, Eddie 12<sup>th</sup>, Smyre, Calvin 135<sup>th</sup></p>	<p>● A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide for certain consumer protections against surprise billing; to provide for a short title; to provide for applicability; to provide for definitions; to provide mechanisms to resolve payment disputes between insurers and out-of-network providers regarding the provision of healthcare services; to require the department to provide for the maintenance of an all-payer health claims data base; to provide for in-network cost-sharing amounts in healthcare plan contracts; to establish an arbitration process; to require the Commissioner of Insurance to contract with one or more resolution organizations; to require the promulgation of department rules; to repeal conflicting laws; and for other purposes. <b>Status: Special Committee on Access to Quality Health Care</b></p>
<p>HR 894 Joint Study Committee on Veterans' Suicide; Scott, Sandra 76<sup>th</sup> Williams, Al 168<sup>th</sup> Schofield, Kim 60<sup>th</sup> Jackson, Derrick 64<sup>th</sup> Beasley-Teague, Sharon 65<sup>th</sup> Glanton, Mike 75<sup>th</sup></p>	<p>A RESOLUTION creating the Joint Study Committee on Veterans' Suicide; and for other purposes <b>Status: Defense and Veteran Affairs</b></p>

## Events/Upcoming Dates

- 2/18 House: Appropriations expected vote on AFY20 budget  
House: Access to Quality Healthcare
- 2/19 Senate Health and Human Services Committee