

**Members of the Senate Health and Human Services Committee
2007 Session**

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RULES

SENATE HEALTH AND HUMAN SERVICES COMMITTEE

2007

1. Quorum of the Committee shall be seven (7) members.
2. The Chairman shall determine the agenda of the bills and resolutions to be considered and the order in which such are called.
3. The Chairman shall have authority to refer bills and resolutions to subcommittees for study. Recommendations of the subcommittees shall be reported to the full Committee.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman. Notice of meetings shall conform to Senate Rules.
5. Committee Rules may be amended upon motion duly made and subsequently approved by two-thirds of the members of the Committee.
6. A bill, resolution or other matter shall be considered only after presentation by its principal author or a legislator who he/she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principal author shall be the one whose name appears first in the list of authors.
7. Where Rules are silent on specific issues, the Rules of the Senate, as adopted, shall govern.

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, January 30th, 2007**

The Senate Health and Human Services Committee held its first meeting of the 2007 Session on Tuesday, January 30th, in room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 4:07 pm. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Johnny Grant, 25 th
Senator Renee Unterman, 45 th , Vice Chair	Senator Judson Hill, 32 nd
Senator Greg Goggans, 7 th , Secretary	Senator Preston Smith, 52 nd
Senator David Adelman, 42 nd	Senator John Wiles, 37 th
Senator Lee Hawkins, 49 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Steven Henson, 41 st	Senator David Shafer, 48 th , Ex-Officio

Note: Senators Balfour, Butler, Carter, and Tate were absent from the meeting

Chairman Thomas called the meeting to order. The Committee Rules were read and Senator Thomas asked if any member would like to make a motion on the adoption of the rules. Senator Unterman made a motion to adopt the rules, and Senator Goggans seconded the motion. The vote was unanimous in favor of adoption of the rules.

The following bills and resolutions were discussed:

[SR 66](#) (Staton, 18th) ***Shortage of Doctors and Nurses; Senate Study Committee; create***

Sen. Cecil Staton presented **SR 66** which would create the Senate Study Committee that would examine the current shortage of practicing physicians and nurses throughout the state of Georgia. The committee will be composed of seven members of the Senate, to be appointed by the Lieutenant Governor, and will report its findings and recommendations with suggestions for proposed legislation, if any, on or before December 31, 2007. A motion of Do Pass was made by Senator Unterman and Senator Henson seconded the motion. The vote was unanimous (11-0) in favor of ***Do Pass***.

[SR 66 Do Pass](#)

SR 22 (Hill, 32nd) *Hospital Health Care Standards Commission; create*

Sen. Judson Hill presented a substitute to **SR 22** which would create the Hospital Health Care Standards Commission for Prevention of Hospital Acquired Infections. This committee would study the cleanliness and safety standards in hospitals across Georgia and examine the causes of hospital acquired infections. The Commission will be composed of three members of the House; three members of the Senate; and eight members to be appointed by the Governor including: One hospital administrator from a rural area and one from an urban area; One registered nurse; one member of a physician's association; one representative from the Georgia Alliance for Community Hospitals; one physician specializing in infectious diseases, and one researcher specializing in infectious diseases. The Commission will make a report of any findings or recommendations on or before December 31, 2007.

A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Henson seconded the motion. The vote was unanimous (11-0) in favor of ***Do Pass by Substitute***.

SR 22 Do Pass by Substitute

SR 30 (Thomas, 54th) *Joint Study Committee on State Stroke System of Care; create*

Sen. Don Thomas presented a substitute to **SR 30** which would create the Joint Study Committee on State Stroke System of Care for the purpose of studying the system of stroke care in Georgia. The committee would consider aspects of stroke prevention, community education, acute and sub acute treatment of stroke, notification and response of Emergency Medical Services, rehabilitation of stroke patients, and the disparities in recognition and treatment of stroke in minority communities. A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Hawkins seconded the motion. The vote was unanimous (11-0) in favor of ***Do Pass by Substitute***.

SR 30 Do Pass by Substitute

SB 57 (Unterman, 45th) *Ray Bidy and Gene Mullis Act; renal disease facilities and personnel*

SB 57, also known as the ***Ray Bidy and Gene Mullis Act***, was introduced by **Sen. Jeff Mullis**. This legislation would require all dialysis technicians to be licensed and certified in order to provide dialysis care. Beginning January 1, 2008, a person seeking to become a dialysis technician must submit an application to the Georgia Board of Nursing, demonstrating good moral character; attainment of a high school diploma or GED; completion of an approved dialysis technician training curriculum, achievement of national certification as a dialysis technician; and other qualifications required by the Board. A person currently employed as a dialysis technician prior to this is deemed as having met the certification and training requirements, upon acknowledgement by his or her administrative professional nurse that such person is competent to perform dialysis care. This bill would also establish the Dialysis Technician Advisory Council to advise the Board regarding qualifications and competency of dialysis technicians. The Council will be comprised of eight members, including one member of the Board; two dialysis technicians; two registered professional nurses who regularly provide dialysis care; one physician who regularly treats dialysis patients; and two dialysis or kidney transplant patients. A Motion of Do Pass was made by Senator Unterman and Senator Adelman seconded the motion. The vote was unanimous (11-0) in favor of ***Do Pass***.

[SB 57 Do Pass](#)

SB 45 (Thomas, 54th) *Chronic Kidney Disease Task Force; establishment; develop a plan for education; membership; duties/responsibilities*

Sen. Don Thomas introduced **SB 45** which would create the Chronic Kidney Disease Task Force within the Department of Human Resources' Division of Public Health. Responsibilities of the task force would include; developing a plan to educate the public and medical professionals about early screening, diagnosis, and treatment of chronic kidney disease; developing an early kidney replacement therapy education plan for patients; and establishing recommendations on implementation of a cost-effective state plan for early screening, diagnosis and treatment of kidney disease. **Chris Starr**, Director of the National Kidney Foundation, and **Andy Freeman**, kidney disease patient and transplant recipient, gave testimony in favor of the bill. There were revisions made to clear up the appointment procedure from President Pro Tempore to the Lt. Governor. A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Henson seconded the motion. The vote was unanimous (11-0) in favor of ***Do Pass by Substitute***.

[SB 45 Do Pass by Substitute](#)

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A brief presentation on Levels of Care for Child and Adolescent Mental Health Services was sponsored by Helen Sloat of Nelson Mullins.

With no further business, Chairman Thomas adjourned the meeting at 4:56 p.m.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, February 1, 2007**

The Senate Health and Human Services Committee held its second meeting of the 2007 Session on Thursday, February 1, in room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 1:00 pm. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Preston Smith, 52 nd
Senator Greg Goggans, 7 th , Secretary	Senator Horacena Tate, 38 th
Senator David Adelman, 42 nd	Senator John Wiles, 37 th
Senator Don Balfour, 9 th	Senator Joseph Carter, 13 th , Ex-Officio
Senator Johnny Grant, 25 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Lee Hawkins, 49 th	Senator David Shafer, 48 th , Ex-Officio
Senator Steve Henson, 41 st	

Note: Senator Butler was absent from the meeting.

Chairman Thomas called the meeting to order. Senator Hawkins opened in prayer.

The following bills were discussed:

[SB 61](#) (Mullis, 53rd) ***Child-Placing Agency; require petitioner to submit to a criminal history records check***

SB 61, which would require that any petitioner in an adoption proceeding submit fingerprints to the Georgia Crime Information Center for a criminal history records check, was presented by **Sen. Jeff Mullis**. **Jamie Self** representing Georgia Family Council, **Jim Outman** of Clairborne, Outman and Surway, P.C., and **John Bankhead** of the Georgia Bureau of Investigation all spoke in favor of the bill. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Unterman and Senator Balfour seconded the motion. The vote was unanimous (14-0) in favor of ***Do Pass by Substitute***.

[SB 61 Do Pass by Substitute](#)

SB 17 (Harp, 29th) *Optometrists; authorize to prescribe and administer oral/topical pharmaceutical agents; eye/adnexa oculi*

Sen. Seth Harp introduced **SB 17** to the committee. This legislation would allow certified optometrists to prescribe oral medications to treat diseases and conditions of the eye. Medications listed under the Georgia Controlled Substances Act would be excluded, and an optometrist would not prescribe oral steroids for a period of more than 7 days. Chairman Thomas offered a substitute to SB 17. **Paul Ajunion, John Whitlow** and **Aubrey Villines** of the Georgia Optometric Association all spoke in favor of the legislation. **Lasa Joiner** of the Georgia Society of Ophthalmology, and **Larry Lanier** of the Medical Association of Georgia spoke in opposition to the bill.

A motion of Do Pass by Substitute was made by Senator Unterman and Senator Adelman seconded the motion. The vote was unanimous (14-0) in favor of ***Do Pass by Substitute***.

SB 17 Do Pass by Substitute

SB 51 (Smith, 52nd) *Human Resources, Dept. of; owners of personal care homes; national criminal history background data; definitions*

Sen. Preston Smith of the 52nd presented **SB 51** which makes it unlawful for an owner of a personal care home, private home care provider or child welfare agency to operate such a facility with a criminal record. After much deliberation, a motion of Do Pass by Substitute was made by Senator Smith and Senator Unterman seconded the motion. The vote for ***Do Pass by Substitute*** was tied (7 - 7) and failed with a lack of majority.

Note: Senator Adleman left before the vote. Chairman Thomas voted to tie the votes. Senators Balfour, Goggans, Henson, Hill, Orrock, Tate, and Wiles were opposed.

SB 51 Do Pass by Substitute failed with lack of majority

SR 87 (Smith, 52nd) *Human Resources, Dept. of; urged to name district health office building at Northwest Georgia Regional Hospital in honor of Dr. Raymond F. Corpe*

Sen. Preston Smith also presented **SR 87** which would urge the Georgia Department of Human Resources to name the district health office to be built at Northwest Georgia Regional Hospital in honor of **Dr. Raymond F. Corpe**, former superintendent of the hospital and a pioneer of tuberculosis research. A Motion of Do Pass was made by Senator Hill and Senator Unterman seconded the motion. The vote was unanimous (13-0) in favor of ***Do Pass***.

SR 87 Do Pass

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With no further business, Chairman Thomas, 54th, adjourned the meeting at 2:59 p.m.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, February 13, 2007**

The Senate Health and Human Services Committee held its third meeting of the 2007 Session on Tuesday, February 13, in the Senate Mezzanine of the Capitol. Chairman Don Thomas called the meeting to order at 4:05 pm. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Preston Smith, 52 nd
Senator Greg Goggans, 7 th , Secretary	Senator Horacena Tate, 38 th
Senator David Adelman, 42 nd	Senator John Wiles, 37 th
Senator Gloria Butler, 55 th	Senator Joseph Carter, 13 th , Ex-Officio
Senator Johnny Grant, 25 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Lee Hawkins, 49 th	
Senator Steve Henson, 41 st	

Note: Senators Balfour and Shafer were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Butler opened in prayer.

The following bills were discussed:

Note: Senators Unterman, Grant, and Henson arrived at 4:10 p.m.
Senator Adelman arrived at 4:15 p.m.

[SB 95](#) (Carter, 13th) ***Cigarettes/Tobacco; minors; unlawful to attempt purchase; vending machines; change certain provisions***

Sen. Joseph Carter presented **SB 95**, which makes it a crime for minors to attempt to purchase cigarettes or other tobacco products and also prohibits the dispensing of any non-tobacco products, other than lighters, in vending machines that dispense cigarettes and other tobacco products. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Butler and Senator Tate seconded the motion. The vote was unanimous (10-0) in favor of ***Do Pass***.

[SB 95 Do Pass](#)

SB 53 (Williams, 19th) *Health Planning; exemptions; acute cancer hospitals*

The Committee held a hearing for **SB 53**, which was presented by **Sen. Tommie Williams**. This legislation would create a designation for non physician-owned acute care cancer treatment hospitals, so long as such hospitals have 50 or fewer beds and at least 65 percent of their annual patient base consists of residents of other states, that would allow them to apply for a certificate of need (CON) to operate centers in Georgia. Patients from Cancer Treatment Centers of America, **Richard Cooper** and **Tina Prestridge** provided testimonies in support of **SB 53**. Emory oncologist, **Dr. David Lawson** and **Dr. Tim Fox** from the Emory Winship Cancer Institute, **Dr. Jack Griffeth**, Northeast GA Health Systems, **Bill Todd** from the Georgia Cancer Coalition, and **Sen. George Hooks** spoke against **SB 53**. Senator Thomas ended the hearing after much discussion at 5:20 p.m., stating that the hearing would continue at a later date.

Note: Senator Judson Hill arrived at 5:00 p.m.

Senators Adelman, Henson, Orrock, Grant and Smith left at 5:00 p.m.

SB 60 (Staton, 18th) *Georgia Trauma Commission; establish*

A substitute to **SB 60**, presented by **Sen. Cecil Staton** would create the Georgia Trauma Commission within the Department of Human Resources, and would allow hospitals offering trauma services to add additional beds or operating rooms for trauma purposes without applying for a certificate of need. A Motion of Do Pass by Substitute was made by Senator Orrock and Senator Unterman seconded the motion. The vote was unanimous (8-0) in favor of ***Do Pass by Substitute***.

SB 60 Do Pass by Substitute

With no further business, Chairman Thomas, 54th, adjourned the meeting at 5:40 p.m.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, February 15, 2007**

The Senate Health and Human Services Committee held its fourth meeting of the 2007 Session on Thursday, February 15, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 10:00 a.m. Members present at the meeting were as follows:

Senator Don Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Preston Smith, 52 nd
Senator David Adelman, 42 nd	Senator Horacena Tate, 38 th
Senator Don Balfour, 9 th	Senator John Wiles, 37 th
Senator Gloria Butler, 55 th	Senator Joseph Carter, 13 th , Ex-Officio
Senator Lee Hawkins, 49 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Steve Henson, 41 st	Senator David Shafer, 48 th , Ex-Officio

Note: Senators Grant and Goggans were absent from the meeting.

Chairman Thomas called the meeting to order.

The following bills were discussed:

[SB 66](#) (Schaefer, 50th) *Abortion; medical equipment for facilities; procedures*

Sen. Nancy Schaefer presented the Committee Substitute to **SB 66**, known as the ***Full Disclosure Ultrasound Act***. This legislation provides that a woman seeking an abortion must first submit to an ultrasound or sonogram examination and must be offered an opportunity to view the ultrasound or sonogram image prior to an abortion being performed. Senator Smith offered an amendment that would give an exception to women who were victims of rape or incest. Senator Smith made a motion for his amendment with a second by Senator Henson. The vote was (8 to 5) and the amendment received a Do Pass from the committee. Senators Balfour, Hill, Hawkins, Shafer and Wiles opposed this amendment. Senator Henson offered an amendment. Senator Henson made a motion of Do Pass for his amendment with a second by Senator Adelman. The motion failed with a vote of (5 to 8). Senators Balfour, Carter, Hill, Hawkins, Shafer, Smith, Unterman, and Wiles opposed this amendment. Senator Butler offered an amendment. Senator Butler made a motion of Do Pass for her amendment with a second by Senator Henson. The motion failed with a tied vote of (7 to 7) with Senators Balfour, Carter, Hawkins, Hill, Smith, and Unterman voting in opposition, and Chairman Thomas casting a vote to make the tie. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Smith and Senator Hawkins seconded the motion. The vote was (8-5) in favor of ***Do Pass by Substitute***. Senators Adelman, Butler, Henson, Orrock and Tate were opposed.

[SB 66](#) *Do Pass by Substitute*

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Note: Chairman Thomas and Senators Balfour, Hawkins, Smith, Wiles, and Carter left the meeting to attend a funeral for Congressman Charlie Norwood. He left Vice-Chair Unterman to conduct the hearing on **SB 150**.

SB 150 (Hill, 32nd) *Pharmacists/Pharmacies; submit certain performance and cost data to Dept. of Community Health*

Sen. Judson Hill was prepared to present his bill for a hearing, but there was no longer a quorum available. With no further business, Vice-Chair Unterman adjourned the meeting at 11:10 a.m.

Note: Senator Butler filed a minority report with the Secretary of the Senate's office with objection to the process of the Health and Human Services Committee that was held on Thursday, February 15, 2007.

Respectfully submitted,

/s/ Senator Renee Unterman, 45th, Vice-Chair

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, February 20, 2007**

The Senate Health and Human Services Committee held its fifth meeting of the 2007 Session on Tuesday, February 20, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 4:00 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Steve Henson, 41 st
Senator Renee Unterman, 45 th , Vice Chair	Senator Judson Hill, 32 nd
Senator Don Balfour, 9 th	Senator Horacena Tate, 38 th
Senator Gloria Butler, 55 th	Senator John Wiles, 37 th
Senator Johnny Grant, 25 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Lee Hawkins, 49 th	Senator David Shafer, 48 th , Ex-Officio

Note: Senators Goggans, Adelman, Smith, and Carter were not in attendance.

Chairman Thomas called the meeting to order. Senator Balfour opened in prayer.

Note: Senator Grant arrived at 4:30 p.m.

The following bill received a hearing only:

[SB 150](#) (Hill, 32nd) *Pharmacists/Pharmacies; submit certain performance and cost data to Dept. of Community Health*

Sen. Judson Hill presented **SB 150**. The purpose of this bill is to reduce the uninsured population in Georgia by establishing several new incentives and programs that will facilitate and encourage the uninsured to adopt health insurance coverage. Significant provisions of the legislation include the following:

- Creation of the Georgia Health Insurance Exchange through which insurers will market a variety of health insurance policies and consumers can compare and purchase these policies through the Exchange's website;
- Establishment of a website that provides consumer information on the cost and quality of healthcare in Georgia. The information will include performance and outcome data and pricing comparisons for selected medical conditions, surgeries, and procedures in hospitals and ambulatory surgical centers in Georgia; and cost comparison information on certain prescription drugs at different pharmacies in Georgia;

- Providing incentives for use of electronic prescriptions;
- Creation of the Georgia Patient Safety Corporation to assist healthcare providers in improving the quality and safety of healthcare;
- Creation of the Georgia Health Care Overview Committee to evaluate the performance of the Georgia Patient Safety Corporation; and
- Increasing availability of health insurance by allowing out of state insurers to offer insurance in Georgia.

Senator Thomas ended the hearing after much discussion, stating that the bill would be heard again at the next committee meeting.

With no further business, Chairman Thomas adjourned the meeting at 5:00 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE
Thursday, February 22, 2007

The Senate Health and Human Services Committee held its sixth meeting of the 2007 Session on Thursday, February 22, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 1:00 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Steve Henson, 41 st
Senator Renee Unterman, 45 th , Vice Chair	Senator Judson Hill, 32 nd
Senator Don Balfour, 9 th	Senator Horacena Tate, 38 th
Senator Gloria Butler, 55 th	Senator John Wiles, 37 th
Senator Johnny Grant, 25 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Lee Hawkins, 49 th	Senator David Shafer, 48 th , Ex-Officio

Note: Senators Goggans, Adelman, and Carter were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Hill opened in prayer.

[SB 178](#) (Balfour, 9th) *Pharmacy, State Board of; mails/common carriers; prescription drug; shall not be grounds for sanctioning license of pharmacist*

Sen. Don Balfour presented **SB 178**, which revises current law for which the State Board of Pharmacy may suspend, revoke or refuse to grant a license for distributing prescription drugs through the mail. **Ira Katz**, an independent pharmacist, and **John Sherrer** of the Georgia Pharmacy Association, spoke against **SB 178**, stating that the bill would affect the way that pharmacists practice in Georgia. **William Mitchellson**, Alston & Byrd Law Firm, and **Skin Edge**, representing Caremark, spoke in favor of the bill. **SB 178** was tabled for further amendment when the author of the bill could be present.

Note: Senator Balfour left the meeting at 1:30 p.m.

[SB 150](#) (Hill, 32nd) *Pharmacists/Pharmacies; submit certain performance and cost data to Dept. of Community Health*

The Committee held another hearing for **SB 150**, which was presented by **Sen. Judson Hill**. After hearing the favorable testimonies of **Sonny Munter**, Department of Community Health, and **Joyce Reid**, Georgia Hospital Association, Chairman Thomas concluded the hearing by stating that **SB 150** may come up again for a vote at another meeting.

With no further business, Chairman Thomas adjourned the meeting at 4:00 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, February 27, 2007**

The Senate Health and Human Services Committee held its seventh meeting of the 2007 Session on Tuesday, February 27, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 4:00 p.m. Members present at the meeting were as follows:

Senator Don Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Steve Henson, 41 st
Senator David Adelman, 42 nd	Senator Horacena Tate, 38 th
Senator Don Balfour, 9 th	Senator John Wiles, 37 th
Senator Gloria Butler, 55 th	Senator Nan Orrock, 36 th , Ex-Officio
Senator Johnny Grant, 25 th	Senator David Shafer, 48 th , Ex-Officio
Senator Lee Hawkins, 49 th	

Note: Senators Goggans, Smith, and Carter were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Butler opened in prayer.

The following bills were discussed:

[SB 150](#) (Hill, 32nd) ***Pharmacists/Pharmacies; submit certain performance and cost data to Dept. of Community Health***

Sen. Judson Hill presented **SB 150** for discussion again and offered a substitute to SB 150 removing all of Title 33 from the bill. Several members of the committee still had concerns regarding the bill including the creation of a corporation and the lack of a fiscal note. After much deliberation, Senator Henson moved to table SB 150 and Senator Unterman seconded the motion. The bill was tabled (11 to 1). Senator Judson Hill was opposed.

[SB 150 Tabled](#)

[SB 155](#) (Balfour, 9th) ***Immunization; HPV; human papillomavirus; female students entering the sixth grade***

Sen. Don Balfour presented **SB 155**. This legislation would require all girls to be vaccinated for the human papillomavirus prior to admission into the sixth grade, unless such vaccination conflicts with the religious beliefs of a parent or guardian. Sen. Balfour then moved to amend his substitute, so that it would be effective beginning with the 2008 school year, including a sunset clause that would rescind the legislation in 2011 and that the mandate be rescinded if there is a federal recall by the FDA of the vaccine.

Testimony was heard.

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Opposed:

Tanya Ditty, Concerned Women for America
Dr. Margaret Boudreaux
Carolyn Garcia, United for Life
Sadie Fields, Georgia Christian Alliance
Pat Chivers, Archdiocese of Atlanta

In Favor:

Diane Hutchins, Peach State Health Plan
Helen Sloat, Nelson Mullins

Senator Grant made a motion to table to work out language. Motion failed.

Senator Henson made a motion to Do Pass by Substitute and Senator Orrock seconded the motion. The vote was (8 to 3) in favor of ***Do Pass by Substitute***. Senators Shafer, Tate, and Wiles were opposed.

[***SB 155 Do Pass by Substitute***](#)

[***SB 178 \(Balfour, 9th\) Pharmacy, State Board of; mails/common carriers; prescription drug; shall not be grounds for sanctioning license of pharmacist***](#)

Sen. Don Balfour presented ***SB 178*** which was heard at a previous meeting. This legislation would revise current law for which the State Board of Pharmacy may suspend, revoke or refuse to grant a license for distributing prescription drugs through the mail. Since the bill had already been heard in committee, Chairman Thomas had those opposed to the legislation and then those in favor of the legislation to stand.

Opposed:

Jim Bracewell, Georgia Pharmacy Association
Jim Sherrer, Kenmar Pharmacy
Jeff Lury, Academy of Independent Pharmacists

In Favor:

Mike Hess, Accredo
Skin Edge, Caremark

Senator Unterman made a motion to Do Pass by Substitute and Senator Henson seconded the motion. The vote was (8 to 3) in favor of ***Do Pass by Substitute***. Senators Hawkins, Orrock, and Tate were opposed.

[***SB 178 Do Pass by Substitute***](#)

SB 66 (Schaefer, 50th) *Abortion; medical equipment for facilities; procedures*

Note: Senator Shafer, 48th, left the meeting at 6:15 p.m.

SB 66 was recommitted to the Health and Human Services Committee following a minority report filed by Sen. Gloria Butler. **Sen. Nancy Schaefer** presented **SB 66**, which would require that a woman seeking an abortion be offered an ultrasound or sonogram, as well as the opportunity to view the ultrasound image, before an abortion could be performed. Senators Grant, Orrock and Adelman felt that the rape/incest exception should be added back into this substitute.

Note: Senator Shafer returned to the meeting at 6:30 p.m.

Dr. Kathleen Raviele testified that the offer of an ultrasound before an abortion constitutes informed choices, but she would like to see the removal of the misdemeanor penalty from the bill. After the amendment by Sen. Schaefer, which removed the misdemeanor penalty from the bill, Senator Unterman made a motion to Do Pass by Substitute and Senator Henson seconded the motion. The vote was (8 to 4) in favor of **Do Pass by Substitute**. Senators Adelman, Orrock, Butler and Tate were opposed.

SB 66 Do Pass by Substitute

SB 222 (Grant, 25th) *Advanced Practice Registered Nurse; revise definition; licensed registered nurse*

SB 222 was presented by **Sen. Johnny Grant** of the 25th. This legislation seeks to rectify errors in the **Georgia Registered Professional Nurse Act** and a certified nurse anesthetist may meet the definition of advanced practice registered nurse if he or she meets certain educational and training standards. Senator Unterman made a motion to Do Pass by Substitute and Senator Orrock seconded the motion. The vote was unanimous (11 to 0) in favor of **Do Pass by Substitute**.

SB 222 Do Pass by Substitute

With no further business, Chairman Thomas adjourned the meeting at 7:10 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, March 1, 2007**

The Senate Health and Human Services Committee held its eighth meeting of the 2007 Session on Thursday, March 1, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 1:55 p.m. Members present at the meeting were as follows:

Senator Don Thomas, 54 th , Chairman	Senator Lee Hawkins, 49 th
Senator Renee Unterman, 45 th , Vice Chair	Senator Judson Hill, 32 nd
Senator Greg Goggans, 7 th , Secretary	Senator Nan Orrock, 36 th , Ex-Officio
Senator David Adelman, 42 nd	Senator David Shafer, 48 th , Ex-Officio
Senator Don Balfour, 9 th	Senator Preston Smith, 52 nd
Senator Gloria Butler, 55 th	Senator Horacena Tate, 38 th
Senator Joseph Carter, 13 th , Ex-Officio	Senator John Wiles, 37 th
Senator Johnny Grant, 25 th	

Note: Senator Henson was absent from the meeting.

Chairman Thomas called the meeting to order. Senator Goggans opened in prayer.

The following bills were discussed:

[SR 355](#) (Hill, 32nd) *Health Care Transformation; create joint study committee*

Chairman Thomas called on **Sen. Judson Hill** to present his resolution. Sen. Hill stated that this resolution creates the Joint Study Committee on Health Care Transformation for the purpose of studying the current health care system in Georgia, including access to health care services, availability and affordability of health insurance, and the provision of care through a consumer driven health care model. The Committee will be composed of four members of the House and four members of the Senate and will make a report of any findings or recommendations, including suggestions for proposed legislation, by December 31, 2007.

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Wiles and Senator Hawkins seconded the motion. The vote was unanimous (8-0) in favor of ***Do Pass***.

[SR 355 Do Pass](#)

SB 204 (Thomas, 54th) **Health; board for distribution/delivery of dead bodies; change certain provisions**

Note: Senators Unterman and Orrock arrived at 2:00 p.m.

Chairman Thomas presented this bill which would create a Board for the Distribution of Cadavers and specifies that it will be composed of the academic deans of medical, osteopathic medical, and dental colleges, or a representative appointed by the president of such schools. The Board will expedite the distribution and delivery of unclaimed dead bodies to the institutions that are entitled thereto. The Board will establish rules and regulations for its governance, appoint a chairperson who will call at least one meeting per year, and keep records of all bodies received and distributed both from within and without this state, and the persons or institutions to whom they may be distributed. Current law states that a school may not receive any bodies until it posts a \$5,000.00 bond with the Governor. This bill clarifies that such bond must be posted with the Department of Human Resources. The purpose of this bond is to ensure that the bodies received by a school are used solely for the promotion of medical science in this state.

Testimony: John Fleishman, Georgia College of Osteopathic Medicine, spoke in support of the bill.

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Wiles and Senator Unterman seconded the motion. The vote was unanimous (10-0) in favor of ***Do Pass***.

SB 204 Do Pass

SB 205 (Thomas, 54th) **Prescription Medication Integrity Act**

Note: Senators Balfour and Adelman arrived at 2:05 p.m.

Chairman Thomas spoke on behalf of ***SB 205*** which would establish the Prescription Medication Integrity Act. It would require distributors of wholesale prescription drugs to establish and maintain inventories and records of all transactions regarding the receipt and distribution of such drugs, including pedigrees for any drugs not distributed through the normal distribution channel (i.e. from the manufacturer to the wholesale distributor to the retail pharmacy).

Before attempting to further distribute a prescription drug, wholesale distributors and repackagers must first verify that each transaction listed on the drug's pedigree has actually occurred. However, this is not required for drugs that are distributed through the normal distribution channel. A pedigree must include the following identifying information regarding each sale in the chain of distribution of the drug (i.e. from the manufacturer, to acquisition and sale by any wholesale distributor or repackager, to the final sale to a pharmacy):

- The name, address, telephone number, and email address of each owner and each wholesale distributor of the drug;
- The name and address of each location from which the drug was shipped;
- Transaction dates;
- Certification that each recipient has authenticated the pedigree;
- The name of the drug;
- Dose and strength of the drug;
- Size and number of the containers;
- Lot number of the drug; and
- The name of the manufacturer of the finished dose form.

Each pedigree must be maintained by the wholesale distributor for three years from the date of sale and must be made available for inspection by the State Board of Pharmacy. The Board would be required to adopt rules and regulations, including a standard form, regarding the requirements set forth by this legislation no later than 90 days after its effective date. In addition, by January 1, 2008, the Board must conduct a study in consultation with manufacturers, distributors, and pharmacies that sell and distribute drugs in Georgia. Based on the results of this study, the Board would establish a mandatory date for implementation of electronic pedigrees.

If the Board found reasonable probability that a wholesale distributor had violated this legislation, falsified a pedigree, or sold, distributed, transferred, manufactured, handled, or repackaged a counterfeit prescription drug which could cause serious, adverse health consequences or death, the Board would issue an order requiring the distributors or retailers to immediately cease further distribution of the drugs. Any person subject to an order would have the opportunity for an informal hearing no later than ten days after the date of its issuance.

This legislation would also make it unlawful for a person to perform or aid and abet any of the following acts:

1. Selling, distributing, or transferring a prescription drug to a person who is not authorized to receive such drug;
2. Failing to maintain or provide pedigrees;
3. Failing to obtain, transfer, or authenticate a pedigree;
4. Providing the Board, its representatives, or any federal official with false or fraudulent records or making false statements regarding the provisions of this legislation;
5. Fraudulently obtaining, attempting to obtain, or distributing a prescription drug; and
6. Except for the wholesale distribution by drug manufacturers that has been delivered into commerce pursuant to FDA approval, the manufacturing, repackaging, selling, transferring, delivering, holding, or offering for sale any prescription drug that is adulterated, misbranded, counterfeit, or otherwise unfit for distribution.

Any person who engages in the wholesale distribution of prescription drugs in violation of this legislation is guilty of a felony, punishable by imprisonment of a maximum of 15 years and/or a maximum fine of \$50,000.00. If such person *knowingly* violates this legislation, the felony punishment is increased to a maximum of 25 years imprisonment and/or a fine of up to \$500,000.00. This legislation would become effective upon appropriation of funds by the General Assembly.

Testimony was heard.

In favor: Clint Austin, Pfizer
Jay Morgan, McKesson

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Grant and Senator Unterman seconded the motion. The vote was unanimous (12-0) in favor of *Do Pass by Substitute*.

[SB 205 Do Pass by Substitute](#)

[SR 363](#) (Grant, 25th) [Mental Health Service Delivery Commission; create](#)

Note: Senator Judson Hill left at 2:10 p.m.
Senator Henson arrived at 2:10 p.m.

Chairman Thomas called upon **Sen. Johnny Grant** to speak to **SR 363**. Sen. Grant stated that recent tragic events, including death and abuse of individuals living with mental illness, warrant a comprehensive assessment of Georgia's current mental health system. The agencies who oversee the delivery of mental health and substance abuse services in this state, including the Department of Health, the Department of Human Resources, the Department of Juvenile Justice, and the Department of Corrections, have endured a decline in resources and staffing over the last decade, resulting in fragmented and inadequate delivery of services. This resolution would create the Mental Health Service Delivery Commission that would be charged with the following responsibilities:

- Assess the needs of children and adults in Georgia who suffer from mental illness and substance abuse, for improved behavioral health services and resources;
- Examine ways to adequately size, staff, and secure state hospitals, while taking into account which patients can safely be housed in community settings;
- Use public and private community resources to relieve the overcrowding in state facilities and develop the full continuum of services and supports so as to help the mentally ill live and work closer to their families;
- Divert those residents in need of treatment to community-based resources and provide adequate forensic and treatment services in state institutions;
- Aggressively develop housing and employment opportunities for the mentally ill;
- Assure parity in insurance coverage for mental health and substance abuse care; and
- Develop an organizational plan to coordinate and revitalize the agencies involved in mental health and substance abuse services.

Chairman Thomas called on those who wished to give testimony as follows:

Testimony was heard.

In favor: Ellyn Jeager, Executive Director, Mental Health America
Stan Jones, Nelson Mullins

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Orrock seconded the motion. The vote was unanimous (12-0) in favor of ***Do Pass by Substitute***.

[SR 363 Do Pass by Substitute](#)

SB 253 (Wiles, 37th) **Advanced Practice Registered Nurses; on-site patient evaluation; provide examination**

Chairman Thomas called on **Sen. John Wiles** to speak on behalf of **SB 253**. Sen. Wiles said that this bill revises nurse protocol agreements between physicians and advanced practice registered nurses by requiring on-site patient examination by the delegating physician (or another designated physician, if the delegating physician is unavailable). Additionally, 100% of all patients who receive a prescription for a controlled substance pursuant to a nurse protocol agreement must be examined on-site by the delegating physician on a quarterly basis, unless the prescription was for a ten-day or less supply of the drug. This bill clarifies language regarding unlawful practice settings so that it is illegal for a physician to be employed by, or be a consultant of, an advanced practice registered nurse, alone or in combination with others, if the physician is required to supervise the employing nurse.

Testimony was heard.

In Favor: Dr. Jim McNatt, Medical Composite State Board

Opposed: Kasey Scott, Advanced Practice Nurse

Cynthia Trotta, APRN

Tom Bauer, GAPA

There was a long debate amongst the committee members on whether the intent of past legislation on this issue is being upheld. Seeing that there were too many issues that still needed to be addressed, Chairman Thomas recommended this bill to a Subcommittee, naming Senator Unterman as Chair, and Senators Wiles, Balfour and Adelman as members.

SB 253 assigned to Subcommittee

SR 345 (Heath, 31st) **Public Funding; faith based organizations; prevent discrimination**

Note: Senators Wiles, Hawkins, and Grant left at 3:45 p.m.

Sen. Bill Heath, 31st, presented this bill on behalf of the Governor, which would propose an amendment to the Georgia State Constitution pertaining to separation of Church and State, so that Article I, Section II will state that no money will be taken from the public treasury in aid of any church, sect, cult, or other religious organization, except as permitted or required by the United States Constitution, as amended. This proposed amendment will be published and submitted for a vote on ballot if passed. Sen. Heath asked for favorable consideration.

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Testimony was heard:

In Favor: Bob Dallas, Governor's Office of Highway Safety
Doug Mead, Executive Director, Georgia Agape, Inc.
Patricia Chivers, Archdiocese of Atlanta
Stan Jones, Georgia Center for Nonprofits

Opposed: Bill Nigut, Anti-Defamation League
Maggie Garrett, ACLU

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Smith and Senator Hawkins seconded the motion. The vote was (11-2) in favor of *Do Pass*. Senators Butler and Orrock were opposed.

[SR 345 Do Pass](#)

With no further business, Chairman Thomas adjourned the meeting at 4:40 pm.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, March 15, 2007**

The Senate Health and Human Services Committee held its ninth meeting of the 2007 Session on Thursday, March 15, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 2:10 p.m. Members present at the meeting were as follows:

Senator Don Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Nan Orrock, 36 th , Ex-Officio
Senator Greg Goggans, 7 th , Secretary	Senator David Shafer, 48 th , Ex-Officio
Senator David Adelman, 42 nd	Senator Preston Smith, 52 nd
Senator Don Balfour, 9 th	Senator Horacena Tate, 38 th
Senator Johnny Grant, 25 th	Senator John Wiles, 37 th
Senator Lee Hawkins, 49 th	
Senator Steve Henson, 41 st	

Note: Senators Butler and Carter were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Shafer opened in prayer.

The following bills were discussed:

SR 385 (Orrock, 36th) **Georgia Advance Directives Registry; create Senate study committee**

Chairman Thomas invited **Sen. Nan Orrock** to speak to the resolution. Sen. Orrock stated that all 50 states currently have some version of advance directive legislation that recognizes and protects the dignity and autonomy of patients at the end of life. The legislation recognizes and protects the dignity and autonomy of patients at the end of life. The absence of an advance directives database in Georgia significantly hinders the ability of the medical community to follow and respect a patient's end-of-life decisions. Therefore, this committee will study the development and administration of a state-maintained database of advance directives for the purpose of ensuring proper notification within the healthcare community as to the wishes of patients at the end of their lives.

Note: Senators Adelman, Smith and Wiles arrived at 2:15 p.m.

Testimony was heard:

In Favor: Dr. Elizabeth Connell, Emory University Medical School Emeritus

There was an amendment to add study committee language to the bill. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Hawkins seconded the motion. The vote was unanimous (7-0) in favor of ***Do Pass by Substitute.***

[SR 385 Do Pass by Substitute](#)

[SB 295 \(Bulloch, 11th\) *Controlled Substances; active chemical ingredient in hallucinogenic plant Salvia divinorum A; unlawful to knowingly produce and manufacture*](#)

Chairman Thomas asked **Sen. John Bulloch** to present his substitute to **SB 295**. Sen. Bulloch said that a report on Fox 5 News first alerted him to the problem of Salvia being used as a hallucinogenic plant. A recording of that news report was played for the committee by a team from **Fox 5 News**.

Note: Senators Judson Hill, Balfour, Grant, Goggans and Tate arrived 2:30 p.m.

Sen. Bulloch said this bill would make it a misdemeanor to knowingly produce, manufacture, distribute, possess, or possess with the intent to produce, manufacture, or distribute the active chemical ingredient in the hallucinogenic plant Salvia divinorum A. However, it doesn't apply to the Salvia used for landscaping. This bill is specific in making it illegal to produce it for the chemicals or to harvest for other than landscaping purposes. There were some questions from Senators Adelman, Wiles, Unterman, and Smith on the necessity of including exceptions and if there would be implications on the landscaping and gardening business. Sen. Bulloch answered that this legislation had the same language as marijuana law. Chairman Thomas said that it also follows Tennessee legislation just developed on the same subject and asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Shafer and Senator Hawkins seconded the motion. The vote was unanimous (13-0) in favor of ***Do Pass by Substitute.***

[SB 295 Do Pass by Substitute](#)

SB 289 (Balfour, 9th) *Newborn Screening Program; assessment; approved laboratories to perform screening testing; revise certain provisions*

Sen. Don Balfour presented **SB 289** to the committee as legislation that would provide provisions for newborn screening of genetic and metabolic disorders. The Department of Human Resources (DHR) currently oversees the newborn screening program and this bill clarifies that DHR will also be responsible for assessing the effectiveness of the program instead of the Department of Audits and Accounts. Additionally, instead of only using the state-operated newborn screening laboratory, DHR would be required to allow any laboratory certified pursuant to the federal Clinical Laboratory Improvement Amendments of 1988 and licensed to perform screening of newborns. This bill would give hospitals a choice of providers and allow for the use of the most up-to-date technology such as tantum mass spectrometry and DNA technology to screen for many more problems. The issues that hospitals have had with the state lab were recollection rates and getting information back in a timely manner, high false positives, and interpretation of results. Using another lab could be a difference like night and day in the quality of the results. Senator Balfour asked for favorable support.

Note: Senators Balfour and Wiles left at 3:15 p.m.

Testimony: In Favor- Dr. Ken Kupke, Head of Neonatology, Northside Hospital

Opposed- Dr. Sally Goza

Andy Lord, Scott Palubiak and Jamie Self for Perkin Elmer

Gail Lim for Pediatrix

Dr. Stuart Brown, DHR, Public Health

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Smith and Senator Wiles seconded the motion. The motion of **Do Pass** failed (2 –9) Senators Adelman, Grant, Hawkins, Henson, Hill, Orrock, Shafer, Tate, and Unterman were opposed.

SB 289 Do Pass motion failed

SB 102 (Balfour, Don 9th) *Chiropractors; define/redefine terms; scope of practice; change criminal penalties for unlicensed practice*

Sen. Renee Unterman presented this bill for Sen. Balfour since he had to leave the meeting. This legislation makes grammatical changes to current law regarding the scope of chiropractic practice. Current law only states that chiropractors may adjust patients according to chiropractic methods. This legislation specifies that chiropractors can evaluate, diagnose, and adjust patients in order to correct spinal subluxations or to adjust articulations of the human body. This legislation also allows chiropractors to use therapeutic procedures that attempt to improve function of the human body, and specifies the allowable types, such as: hydrotherapy, massage, electric energy, hot or cold packs, thermal energy, light, and other electrical stimulation. Chiropractors may also use X-ray and refer patients for diagnostic imaging, neurodiagnostic studies, and laboratory tests.

Testimony was heard:

Testimony: In Favor- Dr. Darr McKeown
Dr. Robert Hayden

Opposed- Helen Sloat
Dr. Mark Bernardy
Dr. Sally Goza
Anne Thompson, PTAG
Larry Lanier, MAG
Dr. Ann Honeycutt, Family Physicians
Dr. Clark, MAG
Dr. Elad Sharon
Barry Doublestein

Note: Senators Adelman, Hawkins, Tate, and Orrock left at 4:20 p.m.

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. Senator Shafer offered an amendment to add compliance with patient self referral act. The amendment passed. A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Henson seconded the motion. The vote passed (5 - 3) in favor of ***Do Pass by Substitute.***

SB 102 Do Pass by Substitute

With no further business, Chairman Thomas adjourned the meeting at 4:50pm.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, March 22, 2007**

The Senate Health and Human Services Committee held its tenth meeting of the 2007 Session on Thursday, March 22, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 9:10 a.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Nan Orrock, 36 th , Ex-Officio
Senator Greg Goggans, 7 th , Secretary	Senator David Shafer, 48 th , Ex-Officio
Senator Gloria Butler, 55 th	Senator Preston Smith, 52 nd
Senator Johnny Grant, 25 th	Senator Horacena Tate, 38 th
Senator Lee Hawkins, 49 th	Senator John Wiles, 37 th
Senator Steve Henson, 41 st	

Note: Senators Adelman, Balfour, and Carter were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Butler opened in prayer.

The following bills were discussed:

[HB 127](#) (Byrd, 20th) ***Prescription drugs; generic; change provisions***

Senator Thomas stated that he would carry this bill in the Senate and asked **Rep. Charlice Byrd** to present the bill. She gave personal testimony of how epilepsy had affected her family and why she was compelled to develop this legislation. She explained that epilepsy is a chronic neurological disease. The disorder affects patients in different ways and great improvements have been made with modern medicine to control symptoms and seizures. Because of the sensitivity of the brain, even the slightest change in medications can cause a violent response. Representative Byrd said that she developed this legislation because of the unique requirements of epileptic patients. Pharmacists should be prohibited from substituting a generic version of an anti-epileptic drug for the prescribed brand version without prior notification to and written consent of the prescribing physician. However, a pharmacist would be able to substitute a generic version by one manufacturer for a generic version by another manufacturer if both versions are AB rated by the FDA.

Senator Thomas asked if there were any questions. Sen. Nan Orrock asked for an explanation of the AB rating. **Flynn Warren** of the Georgia Pharmacy Association answered that AB rating, which is determined by the FDA, means there are two generics. There is a 45% difference in one pill from the other. Sen. Steve Henson asked how many epileptics there were in Georgia. Rep. Byrd answered 1% of the 9 million people in Georgia have epilepsy.

Senator Thomas then called on those signed up to testify for or against the bill as follows:

In Favor: Todd Williamson, M.D., Medical Association of Georgia
Suzette LaRoche, M.D. Emory
Bill Draper, Patient Advocate
Brian Looby, Patient Advocate
Charlotte Thompson, Executive Director, GA Epilepsy Foundation

Opposed: Steve Butler, Generic Pharmaceutical Association
Andrea Robison, GA Society of Health System Pharmacists
Flynn Warren, GA Pharmacy Association
Kirk McGhee, GA Association of Health Plans

Sen. Johnny Grant offered a friendly amendment to clarify hospital classifications. Sen. Steven Henson seconded the motion. The amendment passed unanimously. **Sen. Preston Smith** offered a friendly amendment that excluded IV Drugs. Sen. Grant seconded and the motion passed unanimously. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Henson and Senator Smith seconded the motion. The vote was (8-3) in favor of ***Do Pass by Substitute***. Senators Hill, Unterman and Wiles were opposed.

[*HB 127 Do Pass by Substitute*](#)

[*HB 151*](#) (Lunsford, 110th) *Hospital authorities; vacancies; General Assembly; change by local act*

Senator Thomas decided to remove this bill from the agenda for consideration another day.

[*HB 155*](#) (Willard, 49th) *Human Resources, Department of; personal care home owners; criminal history; permit*

Note: Senators Orrock, Smith, and Judson Hill left the meeting at 9:55 a.m.

Chairman Thomas called on **Rep. Wendell Willard** to speak to [HB 155](#). Rep. Willard said pursuant to this legislation, the owner of a personal care home, private home care provider, community living arrangement, or child welfare agency would be prohibited from operating such facility if he or she possessed a criminal record. The Department of Human Resources (DHR) would revoke an existing license or refuse to issue a license to operate such facility upon a determination that the owner has a criminal record. Additionally, DHR would require owners to submit to a background records check both periodically, and before approving any license for a new facility. DHR would transmit two sets of fingerprints and the records search fee to the Georgia Crime Information Center (GCIC); GCIC would keep one set of fingerprints to conduct a search of its records and would transmit one set of fingerprints to the FBI for a search of Bureau records. GCIC would notify DHR in writing as to the results of the records search within ten days.

If DHR determined that an owner had a criminal record and revoked or refused to grant a license, the owner would be entitled to a hearing pursuant to the Georgia Administrative Procedure Act. The hearing officer must consider the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, evidence of rehabilitation, the facility's history of compliance with regulation, and the owner's involvement with the facility in determining whether the criminal record required the denial or revocation of a license to operate the facility.

For purposes of this legislation, "criminal record" would include: a prior conviction; prior arrest, charge and sentencing after a plea of nolo contendere; sentencing for first offender treatment without adjudication of guilt; an adjudication or sentence that was otherwise withheld or not entered on the charge; or an arrest and pending charge for the following crimes:

- Murder and felony murder;
- Aggravated assault and aggravated battery;
- Cruelty to children or persons over age 65;
- Rape;
- Aggravated sodomy;
- Child molestation;
- Enticing a child for indecent purposes;
- Sexual assault against persons in custody, or patients in hospitals or institutions;
- Aggravated sexual battery;
- Armed robbery;
- Abuse, neglect, or exploitation of a disabled adult or elderly person; or
- Any other offense committed in another jurisdiction that, if committed in this state, would be deemed a crime listed above.

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Senator Wiles offered an amendment regarding the criminal background check which was seconded by Senator Unterman. The amendment passed unanimously (7-0). Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Henson and Senator Smith seconded the motion. The vote was unanimous (8-0) in favor of ***Do Pass by Substitute.***

[***HB 155 Do Pass by Substitute***](#)

[***HB 330 \(Stephens, 164th\) Georgia State Board of Pharmacy; registry of pharmacy technicians; establish***](#)

This bill, authored by **Rep. Ron Stephens**, and sponsored by **Sen. Joseph Carter**, requires the Georgia State Board of Pharmacy to establish and maintain a registry of pharmacy technicians in the state. **Ellen Williams**, representing the GA Pharmacy Association, spoke for the bill on behalf of Rep. Stephens and Sen. Carter. She stated that the registry will contain the name and address of each pharmacy technician, his or her employer, and the location of employment. The lead pharmacist of each pharmacy will be responsible for providing updated information to the Board regarding the pharmacy technicians employed in the pharmacy through a process established by the Board. In addition, the Board may collect fees from technicians or their employers for maintenance of the registry.

Note: Senator Wiles left the meeting at 10:22 a.m.

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Henson and Senator Butler seconded the motion. The vote was unanimous (7-0) in favor of ***Do Pass by Substitute.***

[***HB 330 Do Pass by Substitute***](#)

With no further business, Chairman Thomas adjourned the meeting at 11:15 a.m.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, March 29, 2007**

The Senate Health and Human Services Committee held its eleventh meeting of the 2007 Session on Thursday, March 29, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 1:05 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Nan Orrock, 36 th , Ex-Officio
Senator Greg Goggans, 7 th , Secretary	Senator David Shafer, 48 th , Ex-Officio
Senator David Adleman, 42 nd	Senator Preston Smith, 52 nd
Senator Joseph Carter, 13 th	Senator Horacena Tate, 38 th
Senator Johnny Grant, 25 th	Senator John Wiles, 37 th
Senator Lee Hawkins, 49 th	
Senator Steve Henson, 41 st	

Note: Senators Balfour and Butler were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Smith opened in prayer at the Chairman's request.

The following bills were discussed:

HB 429 (Cooper, 41st) *Georgia HIV Pregnancy Screening Act of 2007; enact*

Chairman Thomas stated that he would be carrying this bill in the Senate for Chairman Cooper and this would be a **hearing only**. He asked **Dr. Stuart Brown** to present and give testimony to this bill. Dr. Brown stated that this bill would create the "**Georgia HIV Pregnancy Screening Act of 2007**." It would require every physician who provides prenatal care to pregnant women to test such women for HIV, either during the pregnancy or at the time of delivery through a blood sample or rapid oral test, unless a woman specifically refuses the test. The woman must be informed of the test to be conducted and has the right to refuse such testing. If she tests positive, counseling services provided by the Department of Human Resources must be made available to her and she must be referred to the appropriate medical care provider. Failure to conduct such HIV testing must be recorded on a woman's medical records; if she refused to have the test, the physician is relieved from any responsibility under this legislation. Senator Thomas asked if there were any questions. Senator Goggans asked Dr. Brown if the HIV test could be taken at any time during the pregnancy. Dr. Brown replied that the recommendation is the initial visit because this makes sure the test is offered to everyone despite the risk status. Dr. Brown stated that this is an opportunity to make a difference very specifically and that there was no higher priority in his opinion. Chairman Thomas opened the floor for further testimony. **Dr. Michael Lindsay**, Emory OB/GYN, spoke in favor of the bill by stating that it would be an important advancement. Dr. Lindsay said

that Grady Hospital sees at least 70 to 80 HIV infected women every year and this would help to close the gap on those who are missed. It would provide early treatment options for the women and infants affected and identify the partner. Senator Orrock asked if they were testing everyone at Grady Hospital and Dr. Lindsay said that they do the test during prenatal care and a rapid test for those who present for delivery without prenatal care.

Chairman Thomas thanked Dr. Lindsay and called on **Pat Coda**, GA OB/GYN Society, to testify next. She simply stood and stated that OB/GYN's support the legislation.

[HB 429 Hearing Only](#)

[HB 655 \(Smith, 113th\) Georgia Commission on Hearing Impaired and Deaf Persons; create](#)

Senator Thomas stated that this would also be a **hearing only** and invited **Rep. Bob Smith** to speak to the bill. Rep. Bob Smith said that this bill creates the **Georgia Commission on Hearing Impaired and Deaf Persons**. Specifically, the Commission will:

- Assist hearing impaired persons and their parents in advocating for equal access to services, programs, and opportunities;
- Advise the Governor, the General Assembly, the Commissioner of Human Resources, and the Commissioner of Community Health on the development of policies, programs, and services affecting hearing impaired persons and the use of appropriate federal and state dollars for such purposes;
- Create a public awareness of the special needs and potential of the hearing impaired;
- Recommend any legislation designed to improve the economic and social conditions of hearing impaired persons in this state;
- Propose solutions to problems that hearing impaired persons face in the areas of education, employment, human rights, human services, health, housing, and other related programs;
- Work with other agencies to promote economic development for the hearing impaired; and
- Coordinate its efforts with the Georgia Service Center for Hearing Impaired Persons.

The Commission would be composed of seven members, at least two of whom will be hearing impaired persons. The remaining five persons would be selected from among parents of children who are hearing impaired, persons who are involved with hearing impaired persons or programs, and representatives of private providers of services to hearing impaired persons. The Commission would be attached to the Department of Human Resources (DHR) for administrative purposes and could appoint an executive director, subject to the availability of funds and approval by the Governor, to coordinate the provision of services with DHR. Additionally, the Commission may contract in its own name and apply for, receive, and spend gifts or grants in order to carry out its duties. Finally, the Commission may prepare and distribute periodic reports concerning its activities and the needs and concerns of hearing impaired persons. This bill also would revise the definition of "hearing impaired person" to mean a person who, absent the aid of a hearing device, had any degree of impairment in the ability to apprehend sound.

Senator Thomas heard testimony from **Jet Toney**, who spoke on behalf of the GA Council for the Hearing Impaired. He stated that problems in the past were due to miscommunication and jealousy among advocates. However, the GA Council for the Hearing Impaired believes that increasing awareness can only help with these issues. They are endorsing this legislation but would like to be involved on the Commission. Senator Thomas asked if there were any questions. Senator Wiles stated that language needed to be changed to fix appointment in the Senate to the Lt. Governor. Senator Thomas thanked everyone for their testimony, closed the hearing and stated that a vote would be taken at a later date.

[HB 655 Hearing Only](#)

[HB 147](#) (Mills, 25th) [Woman's Right to Know Act; enact](#)

Rep. James Mills and **Sen. Nancy Schaefer** presented this bill to the committee together. Sponsored in the Senate by **Sen. Nancy Schaefer**, she presented a substitute to the committee that would modify the "**Woman's Right to Know Act**" and provide that, in all cases, in which an ultrasound examination is performed prior to an abortion, the pregnant woman would be offered the opportunity to view the fetal image and listen to the fetal heartbeat. Before the abortion could be performed, the woman must certify in writing that: (1) She was offered an opportunity to have an ultrasound, view the image, and listen to the heartbeat; (2) whether she chose to view the image; and (3) Whether she chose to listen to the fetal heartbeat. Additionally, every woman would be provided with a geographically-indexed list of health care facilities that provide free ultrasounds. This material would be published by the Department of Human Resources and made available on its website. Physicians who failed to comply with these requirements are subject to professional disciplinary action from the Composite State Board of Medical Examiners. There were some very minor changes made to the bill. Rep. Mills said this bill does not mandate an ultrasound but does say if you do give an ultrasound you must offer to share the results with the woman. This bill gives them the right to review the results. Rep.

Mills said that we can all agree that we want to reduce abortions. That is common ground for everyone and statistics show that when a woman has all the facts, abortion rates go down. He would appreciate the committee's favorable support. Chairman Thomas opened the floor for questions. Sen. Adleman asked what the difference was between this bill and SB 66 that was already passed out of the committee. Sen. Schaefer answered that this bill does not mandate an ultrasound be offered or done, but it does mandate that if they do an ultrasound, they must offer the viewing of the results. Sen. Smith asked about the basic exclusion for rape and incest. Rep. Mills said that the exclusion would be similar to HIV testing. Sen. Smith said that he would like the specific exclusion added to the bill for rape and incest victims. Sen. Grant offered an amendment to replace the language of this bill with the language of SB 66 which already carried this exclusion and passed the committee.

Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass by Substitute was made by Senator Grant and Senator Henson seconded the motion. The vote was (7-5) in favor of ***Do Pass by Substitute***. Senators Hawkins, Judson Hill, Shafer, Unterman, and Wiles were opposed.

HB 147 Do Pass by Substitute

With no further business, Chairman Thomas adjourned the meeting at 4:15 p.m.

Respectfully submitted,

/s/ Senator Greg Goggans, 7th, Secretary

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, April 10, 2007**

The Senate Health and Human Services Committee held its twelfth meeting of the 2007 Session on Tuesday, April 10, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 1:05 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Steve Henson, 41 st
Senator Renee Unterman, 45 th , Vice Chair	Senator Judson Hill, 32 nd
Senator David Adelman, 42 nd	Senator Nan Orrock, 36 th , Ex-Officio
Senator Don Balfour, 9 th	Senator David Shafer, 48 th , Ex-Officio
Senator Gloria Butler, 55 th	Senator Preston Smith, 52 nd
Senator Joseph Carter, 13 th , Ex-Officio	Senator Horacena Tate, 38 th
Senator Johnny Grant, 25 th	Senator John Wiles, 37 th
Senator Lee Hawkins, 49 th	

Note: Senator Goggans was absent from the meeting.

Chairman Thomas called the meeting to order. Senator Balfour opened in prayer at the Chairman's request.

There was a presentation on Kaiser Permanente's electronic medical record system, KP HealthConnect. The presenters were **Dr. Luke Webster**, **Mrs. Cissy Murphy** and **Dr. Angel Cobiella**.

The following bills were discussed:

[HB 655](#) (Smith, 113th) ***Georgia Commission on Hearing Impaired and Deaf Persons; create***

Chairman Thomas decided to hold this bill in committee. No action was taken.

[HB 429](#) (Cooper, 41st) ***Georgia HIV Pregnancy Screening Act of 2007; enact***

Chairman Thomas stated that he would be carrying this bill in the Senate for Chairman Cooper. This bill had already received a hearing in a previous meeting. He presented this bill to the committee for a vote only. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Unterman and Senator Smith seconded the motion. The vote was (9-0) in favor of ***Do Pass***.

[HB 429 Do Pass](#)

HB 151 (Lunsford, 110th) *Hospital authorities; vacancies; General Assembly; change by local act*

Chairman Thomas called on **Sen. Tommie Williams** to present **HB 151** which would allow the General Assembly, by local Act, to change the manner of filling vacancies on hospital authority boards. Sen. Williams introduced a substitute to the bill which would also allow a year's exemption from CON restrictions to reopen a closed hospital. Sen. Williams stated after that year was up they would apply for CON just like everyone else. Explaining further, Sen. Williams said we are trying to take a closed hospital and help them reopen. This would also be a vehicle in which The Cancer Treatment Centers of America would be able to establish themselves in the state. Sen. Williams stated that 9 million Georgians are concerned about options and not competition. Chairman Thomas opened the floor to discussion. Sen. Smith asked what change will be made to the current law. Sen. Williams stated that current law states that if a hospital closes, then another entity can come in and buy the hospital, everything in it, and even the CON exemption. This legislation would change the time the clock started running on the year's exemption from CON to the time of acquisition, not time of closure of the hospital. Sen. Adelman asked about unintended consequences if the acquiring firm is unable to become operational within 12 months. Sen. Williams stated that currently CON runs with the facility for one year and the hospital would have the option of purchasing the latest equipment to replace old equipment. This applied only to diagnostic and therapeutic equipment, not hospital beds. Sen. Orrock stated that this bill seems to be putting us in the posture of altering the CON process. Sen. Williams replied that opening a closed hospital will not hurt the CON process. Chairman Thomas opened the floor to testimony from **Dr. David Lawson** from the Emory Winship Cancer Institute. Dr. Lawson stated that he agreed with Sen. Williams about the cancer problem and he also appreciated his honesty in admitting that this bill was a vehicle to bring The Cancer Treatment Centers of America to the state. Dr. Lawson stated that he opposed the amendment because he does not think it is wise to approach the CON issue piecemeal. There should be no exemption of CON for anyone. They oppose The Cancer Treatment Centers of America because they are taking a marketing approach on a subject that is too complex. Dr. Lawson said that it is a matter of honesty and not offering false hope to patients who are battling cancer. There needs to be science, clinical trials and shared information among professionals in the field of cancer treatment. Sen. Unterman and Sen. Shafer had comments for Dr. Lawson, stating that the playing field on the treatment of cancer needs to be leveled and that they were opposed to Emory's tactics and position on this particular issue. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass as Amended for Sen. Williams' amendment to HB 151 was made by Senator Unterman and Senator Wiles seconded the motion and the motion failed. Sen. Joseph Carter offered a substitute that would change HB 151 back to its original form. A Motion of Do Pass by Substitute was made by Sen. Carter and Sen. Balfour seconded the motion. The vote was (9 to 1) in favor of ***Do Pass by Substitute***. Senator Tate was opposed.

HB 151 Do Pass by Substitute

HB 626 (Graves, 12th) *Physicians; retired; continuing education hours; provisions*

Chairman Thomas called on **Sen. Judson Hill** to present **HB 626** for **Rep. Tom Graves**. Sen. Hill said he would be carrying this legislation in the Senate which would mandate that retired physicians who provide uncompensated health care services must complete a maximum of 20 hours of continuing education annually. However, the Board of Medical Examiners would be authorized to require up to 40 hours of continuing education for retired physicians who had not had an active medical license for more than five years. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Hill and Senator Hawkins seconded the motion. The vote was (10 to 0) in favor of **Do Pass**

HB 626 Do Pass

HB 286 (Stephens, 164th) *Controlled substances; Schedule II and V; change certain provisions*

Chairman Thomas called on **Sen. Judson Hill** to present **HB 286** for Rep. Ron Stephens. Sen. Hill said he would be carrying this legislation in the senate which would revise Code provisions relating to controlled substances by adding Dimethylamphetamine, the drug that is routinely sold on the street as speed, to the list of Schedule II controlled substances and Pregabalin, an anticonvulsant drug used to treat neuropathic pain, seizures, and generalized anxiety, to the list of Schedule V controlled substances. Additionally, twenty eight (28) drugs were added to the list of dangerous drugs, including certain drugs used for the treatment of arthritis, respiratory infections, and cancer. This bill also creates an exemption to the list of dangerous drugs for Ketotifen (an antihistamine drug used to treat asthma and allergies) when used with a strength of .025 percent or less as an ophthalmic solution to treat conjunctivitis. Chairman Thomas asked if anyone would like to make a motion if there were no further matters for discussion. A Motion of Do Pass was made by Senator Hill and Senator Smith seconded the motion. The vote was (10 to 0) in favor of **Do Pass**.

HB 286 Do Pass

With no further business, Chairman Thomas adjourned the meeting at 4:15 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Thursday, April 12, 2007**

The Senate Health and Human Services Committee held its thirteenth meeting of the 2007 Session on Thursday, April 12, in Room 450 of the Capitol. Chairman Don Thomas called the meeting to order at 2:52 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Nan Orrock, 36 th , Ex-Officio
Senator Don Balfour, 9 th	Senator David Shafer, 48 th , Ex-Officio
Senator Gloria Butler, 55 th	Senator Horacena Tate, 38 th
Senator Lee Hawkins, 49 th	

Note: Senators Goggans, Adelman, Carter, Grant, Henson, Smith and Wiles were absent from the meeting.

Chairman Thomas called the meeting to order. Senator Judson Hill opened in prayer at the Chairman's request. Since there was not a quorum available at the beginning of the meeting, Chairman Thomas decided to hear the bills and vote on them when a quorum was available.

Note: Senators Balfour and Shafer were not present at the beginning of the meeting, but arrived later in the meeting to help make a quorum.

The following bills were heard:

[SR 517](#) (Thomas, 54th) *Childhood Obesity in Georgia; create Senate Study Committee*

Chairman Thomas asked **Sen. Judson Hill** to present **SR 517**. Sen. Hill presented a substitute to the resolution which would create a Senate Study Committee on Childhood Obesity in Georgia, to be composed of three members of the Senate. The Committee would address the obesity epidemic affecting children in this state and throughout the country. The obesity prevalence among children ages six to 19 more than tripled over the last 20 years. In Georgia, 27 % of two to five year olds, 33% of middle school students, and 26% of high school students are overweight or at risk for being overweight. The severity of overweight children in Georgia is two times higher than the current national average. In fact, Georgia spends an estimated \$2.1 billion per year in medical costs associated with obesity in childhood through adulthood due to medical treatment for conditions such as diabetes, heart disease, and high blood pressure; lost wages; reduced productivity; disability; and premature death. The committee would study these issues and report findings and suggestions for proposed legislation. Chairman Thomas opened up the floor for testimony.

Note: Sen. Judson Hill left the meeting at 3:15 p.m.

Testimony was heard:

In Favor: Jimmy Calloway, Georgia Coalition for Physical Activity and Nutrition
Rick Ward, GA Chapter of the American Academy of Pediatrics
Julianna McConnell, Georgia Commission on Women

Chairman Thomas moved on to hear **SR 386** saying a vote would be taken when a quorum was established later in the meeting.

SR 386 (Orrock, 36th) *Human Resources, Dept. of; urged to establish a uniform format among hospital forms; mandate use in all Georgia hospitals*

Chairman Thomas called on **Sen. Nan Orrock** to present **SR 386**. Sen. Orrock stated that this resolution urges the GA Department of Human Resources (DHR) to establish a uniform format for Physician Orders for Life-Sustaining Treatment (POLST) hospital forms and to mandate their use in all Georgia hospitals. Currently, hospitals vary the title and format of documents designed to convey patient advance directives as to their end-of-life decisions. A uniform POLST form will document patient wishes as clear, specific medical orders regarding the types of life-sustaining treatment they desire or refuse when faced with an advanced life-limiting illness. These forms are endorsed by HIPAA as critical medical documents used to disclose such wishes of a patient to all medical providers upon admission to a medical facility. This will ensure that the patient and physician discuss and develop clear medical treatment plans that are based upon patient decisions and respect such decisions for a peaceful death with dignity. Sen. Orrock offered one amendment to make it clear the General Assembly is urging, not mandating the use of the form. Chairman Thomas said when a quorum was available he would urge the adoption of SR 386 as amended. He then asked Sen. Orrock to move on to the presentation of her next resolution.

SR 388 (Orrock, 36th) **U.S. Congress; urged to enact Prevention First Act**

Sen. Nan Orrock presented **SR 388** to the committee stating that she has a strong sense that we can do better as a state if we would move down the road of prevention rather than fight over the issue of abortion. This resolution urges the United States Congress to enact the Prevention First Act, a family planning initiative that expands access to preventative health care services and education programs to help reduce unintended pregnancies, prevent the spread of sexually transmitted infections, and improve women's health. This resolution would urge that contraceptive coverage be included in medical plans, provide \$700 million in funding for Title X women's clinics, get information out about emergency contraception, provide funding for teenage pregnancy prevention programs, and provide sex education programs that teach young people about abstinence, health and contraceptives. Chairman Thomas opened the floor for questions and testimony.

Testimony was heard:

In Favor: Mary Beth Pierucci, Planned Parenthood of Georgia
Shelley Senterfelt, GA Network to End Sexual Assault

There was no testimony in opposition to the resolution.

Note: Senator Orrock left the meeting at 3:25 p.m.

HB 655 (Smith, 113th) **Georgia Commission on Hearing Impaired and Deaf Persons; create**

Chairman Thomas called on Rep. Bob Smith to speak on HB 655 which had already had a hearing in committee earlier in the session. Rep. Smith said that he had talked the Department of Human Resources about the funding concerns. They discovered that the Georgia Center for the Hearing Impaired had never been set up, so they eliminated DHR from the bill altogether. The purpose of the bill all along had been to provide funds to be used solely for the purchase of hearing devices.

Chairman Thomas adjourned the meeting at 3:34 p.m. and said the committee would reconvene after Rules where we would likely then be able to have a quorum.

Note: Senators Balfour, Hill and Shafer arrived at 4:11 p.m.

Chairman Thomas reconvened at 4:11 p.m., noting that a quorum had been established, asked for motions regarding the following bill and resolutions:

SR 517 (Thomas, 54th) **Childhood Obesity in Georgia; create Senate Study Committee**

A motion of Do Pass by Substitute was made by Senator Unterman and Senator Butler seconded the motion. The vote was unanimous (7-0) in favor of **Do Pass by Substitute**.

SR 517 Do Pass by Substitute

SR 386 (Orrock, 36th) **Human Resources, Dept. of; urged to establish a uniform format among hospital forms; mandate use in all Georgia hospitals**

A Motion of Do Pass by Substitute was made by Senator Unterman and Senator Butler seconded the motion. The vote was unanimous (7-0) in favor of **Do Pass by Substitute**.

SR 386 Do Pass by Substitute

SR 388 (Orrock, 36th) **U.S. Congress; urged to enact Prevention First Act**

Senator Unterman made a motion to table SR 388 for further discussion. Senator Hill seconded the motion. The vote was unanimous (7-0) in favor of tabling SR 388.

SR 388 Tabled

HB 655 (Smith, 113th) **Georgia Commission on Hearing Impaired and Deaf Persons; create**

A motion of Do Pass by Substitute was made by Sen. Unterman and Sen. Balfour seconded the motion. The vote was unanimous (7-0) in favor of **Do Pass by Substitute**.

HB 655 Do Pass by Substitute

With no further business, Chairman Thomas adjourned the meeting at 4:25 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
COMMITTEE
Tuesday, April 17, 2007**

The Senate Health and Human Services Committee held its last meeting of the 2007 Session on Tuesday, April 17, in the hallway in front of the Senate Chamber. Chairman Don Thomas called the meeting on the floor and came to order at 4:45 p.m. Members present at the meeting were as follows:

Senator Thomas, 54 th , Chairman	Senator Judson Hill, 32 nd
Senator Renee Unterman, 45 th , Vice Chair	Senator Nan Orrock, 36 th , Ex-Officio
Senator Don Balfour, 9 th	Senator Horacena Tate, 38 th
Senator Lee Hawkins, 49 th	Senator John Wiles, 37 th

Note: Senators Goggans, Adelman, Butler, Carter, Grant, Henson, Smith and Shafer were absent from the meeting .

Chairman Thomas called the meeting to order.

The following resolution was heard:

[SR 637](#) (Hill, 32nd) *Health Care Transformation; create Senate Study Committee*

Sen. Judson Hill presented **SR 637** before the committee. Earlier in the session a joint resolution was presented to study the issue of Health Care Transformation. Sen. Hill said that the House had held up the resolution on their side and so he drafted another resolution removing any reference to the House. Since the House was unwilling to cooperate, Sen. Hill stated that this would now be a Senate Study Committee only. Chairman Thomas asked if there were no questions, would anyone care to make a motion on SR 637. A Motion of Do Pass was made by Sen. Hill and Sen. Unterman seconded the motion. The vote was unanimous (7-0) in favor of ***Do Pass***.

[SR 637 Do Pass](#)

With no further business, Chairman Thomas adjourned the meeting at 4:50 p.m.

Respectfully submitted,

/s/ Senator Don Thomas, 54th, Chairman

/s/ Laurie Sparks, Recording Secretary

May 7, 2007

Honorable Bob Ewing
Secretary of the Senate
State Capitol
Room 353
Atlanta, GA 30334

Dear Mr. Ewing:

Along with the minutes of the **Senate Health and Human Services Committee**, I am returning the following Bills and Resolutions:

[SR 375](#)

[SR 388](#)

[SB 51](#)

[SB 53](#)

[SB 78](#)

[SB 93](#)

[SB 150](#)

[SB 164](#)

[SB 189](#)

[SB 215](#)

[SB 229](#)

[SB 253](#)

[SB 285](#)

[SB 289](#)

[SB 296](#)

[SB 313](#)

[SB 331](#)

Respectfully submitted,

/s/ Laurie Sparks
Recording Secretary
Senate Health and Human Services Committee