

Members of the Senate Committee on Health and Human Services
2015 Session

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SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:00 p.m. on Tuesday, January 27, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman

Sen. Fran Millar (40th), Secretary

Sen. Dean Burke (11th)

Sen. Gloria Butler (55th)

Sen. Bill Cowsert (46th)

Sen. Steve Henson (41st)

Sen. Ben Watson (1st)

Sen. Nan Orrock (36th)

NOTE: Sen. Chuck Hufstetler (52nd), Vice-Chairman, Sen. Judson Hill (32nd), Sen. Lester Jackson (2nd), Sen. Greg Kirk (13th), Sen. William Ligon, Jr. (3rd) and Sen. David Shafer (48th) were absent.

Sen. Unterman (45th) called the meeting to order at 1:08 p.m. and presented the Committee Rules.

Sen. Henson (41st) made a motion that the Committee Rules DO PASS. Sen. Millar (40th) seconded the motion. The motion passed unanimously. A copy of the Rules is attached.

With no further business, Sen. Unterman (45th) adjourned the meeting at 1:38 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

Rules of the Senate Committee on Health and Human Services
2015-2016 Term

1. Quorum of the Committee shall be seven (7) members.
2. The Chair shall determine which bills and resolutions are to be considered and the order in which said measures are considered. At the discretion of the Chair, the order may change or be omitted.
3. The Chair shall appoint Subcommittees with their appropriate Subcommittee Chairs.
4. The Chair shall have the authority to refer bills and resolutions to Subcommittees for study. Such Subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee with a report.
5. The Committee shall convene, recess, put up all questions, and adjourn upon the order of the Chair.
6. Any member of members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report if they so desire within twenty-four (24) hours of said vote.
7. A bill, resolution, or other matter will be considered only after a presentation by its principal author or a legislator whom he or the Chairman designates to do so. In the event 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.
8. Substitutes and amendments shall be provided to the Chairman at least twenty-four (24) hours prior to the hearing. The Chairman reserves the right to delay action on any substitute or amendment not provided in advance.
9. Where these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:00 p.m. on Thursday, January 29, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th) (Arrived at 1:08 p.m.)
Sen. Bill Cowsert (46th)
Sen. Lester Jackson (2nd)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived at 1:15 p.m.)
Sen. Ben Watson (1st) (Arrived at 1:15 p.m.)
Sen. Nan Orrock (36th) (Arrived at 1:11 p.m.)
Sen. David Shafer (48th)

NOTE: Sen. Steve Henson (41st) and Sen. Judson Hill (32nd) were absent.

Sen. Unterman (45th) called the meeting to order at 1:06 p.m.

SB 53 (Sen. Kirk, 13th, LC 37 1867) Mental Health; authorizing licensed professional counselor to perform certain acts; revise sunset prov.; repeal in its entirety June 30, 2018

Sen. Kirk (13th), the author of SB 53, presented the bill to the Committee. It is a mental health bill authorizing a licensed professional counselor to initiate the involuntary transport process for mentally ill individuals in crisis. This process is referred to by licensed professional counselors as a 10-13. The bill would also revise a sunset provision.

Sen. Burke (11th) made a motion **Do Pass**. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

SB 53 DO PASS

With no further business, Sen. Unterman (45th) adjourned the meeting at 1:41 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:00 p.m. on Tuesday, February 3, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th) (Arrived at 1:05 p.m.)
Sen. Bill Cowsert (46th)
Sen. Steve Henson (41st)
Sen. Lester Jackson (2nd) (Arrived at 1:05 p.m.)
Sen. Greg Kirk (13th) (Left at 2:00 p.m.)
Sen. William Ligon, Jr. (3rd) (Arrived at 1:22 p.m.)
Sen. Nan Orrock (36th) (Left at 2:00 p.m.)
Sen. Ben Watson (1st) (Left at 2:02 p.m.)

NOTE: Sen. Judson Hill (32nd) and Sen. David Shafer (48th) were absent.

Sen. Unterman (45th) called the meeting to order at 1:04 p.m.

SB 3 (Sen. Unterman, 45th, LC 37 1861ER) 'Supporting and Strengthening Families Act'; power of attorney from parent to another person; care of minor child; provide for

Sen. Unterman (45th), the author of SB 3, presented the bill to the Committee. This legislation was modeled after “Grandparents Raising Grandchildren” and allows a parent to give temporary custody of their children to another person, as in the instance of a deployed military member.

Lane Fitzpatrick, a family lawyer from Georgia spoke against the bill.

Sen. Ligon (3rd) made a motion to **adopt an amendment** adding language giving non-custodial parents 30 days in case they move power of attorney (see Statute). Sen. Millar (40th) seconded the motion. The motion passed unanimously.

Sen. Watson (1st) made a motion to **adopt an amendment** adding the same language from line 176 and 177 also after line 183. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

NOTE: Sen. Kirk (13th), Sen. Orrock (36th) and Sen. Watson (1st) left the meeting.

Sen. Ligon (3rd) made a motion **Do Pass by Substitute (LC 37 1898ERS)**. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

SB 3 DO PASS BY SUBSTITUTE

With no further business, Sen. Unterman (45th) adjourned the meeting at 2:10 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:00 p.m. on Thursday, February 12, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th) (Arrived at 1:16 p.m.)
Sen. Bill Cowsert (46th) (Arrived at 1:19 p.m.)
Sen. Steve Henson (41st)
Sen. Judson Hill (32nd)
Sen. Lester Jackson (2nd)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Ben Watson (1st) (Arrived at 1:13 p.m.)
Sen. Nan Orrock (36th) (Arrived at 1:32 p.m.)

NOTE: Sen. David Shafer (48th) and Sen. Fran Millar (40th), Secretary, were absent.

Sen. Unterman (45th) called the meeting to order at 1:12 p.m.

SB 51 (Sen. Burke, 11th, LC 37 1863ER) Pharmacists and Pharmacies; provide for substitutions of interchangeable biological products

Sen. Burke (11th), the author of SB 51, presented the bill to the Committee. The bill allows for pharmaceutical substitutions for biological products. There must be a 48-hour notification of the substitution to the physician and patient.

Allan Hayes from American Health Insurance Plans spoke against the bill.
Jay Morgan from Generic Pharmaceutical Association spoke for the bill.
Dorothy Leone-Glasser from Advocates for Responsible Care spoke for the bill.
Kerry Tucker from Arthritis Foundation spoke for the bill.
Eric Bailey from American Cancer Society spoke for the bill.
Marcus Downs from Medical Association of Georgia spoke for the bill.
Chuck Clay from Georgia Bio spoke for the bill.
Boyd Pettit from Georgia Link spoke for the bill.

Sen. Hill (32nd) made a motion **Do Pass by Substitute (LC 37 1893ERS)**. Sen. Watson (1st) seconded the motion. The motion passed unanimously.

SB 51 DO PASS BY SUBSTITUTE (LC 37 1893ERS)

With no further business, Sen. Unterman adjourned the meeting at 1:52 p.m.

Respectfully submitted,

/s/ Sen. Renee Unterman (45th), Chairman

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:00 p.m. on Thursday, February 19, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th)
Sen. Steve Henson (41st) (Arrived at 1:22 p.m.)
Sen. Judson Hill (32nd) (Arrived at 1:11 p.m.)
Sen. Lester Jackson (2nd)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Ben Watson (1st)
Sen. Nan Orrock (36th)
Sen. David Shafer (48th) (Arrived at 1:33 p.m. and left at 2:10 p.m.)

NOTE: Sen. Chuck Hufstetler (52nd), Vice-Chairman, and Sen. Bill Cowser (46th) were absent.

Sen. Unterman (45th) called the meeting to order at 1:07 p.m.

SB 66 (Sen. Jackson, 2nd, LC 40 0721) Governor's Task Force on Blind and Visually Impaired Persons; create

Sen. Jackson (2nd), the author of SB 66, presented the bill to the Committee. SB 66 would set up a Governor's Task Force on Blind and Visually Impaired Persons comprised of one member from the House of Representatives, one member from the Senate, and five lay persons.

Garrick Scott from the National Federation of the Blind of Georgia spoke for the bill. Sen. Unterman (45th) asked Sen. Jackson (2nd) to revise the bill clarifying the objectives, goals, and language.

SB 66 HEARING ONLY

HB 86 (Rep. Benton, 31st, LC 37 1895ERS) Social services; provide for transfer of the Division of Aging Services to the Georgia Adult and Aging Services Agency; provisions

Rep. Tommy Benton (31st), the author of HB 86, presented the bill to the Committee. HB 86 transfers the Division of Aging Services, under the Department of Human Services, to the Georgia Adult and Aging Services Agency.

Vikki Johnson from the Georgia Council on Aging spoke for the bill.
Sheila Humberstone from the Alzheimer's Association spoke for the bill.

Sen. Henson (41st) made a motion **Do Pass**. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

HB 86 DO PASS

SB 109 (Sen. Orrock, 36th, LC 33 5887) **Health; clarify the use and effectiveness of Physician Orders for Life-Sustaining Treatment forms**

Sen. Orrock (36th), the author of SB 109, presented the bill to the Committee. SB 109 would improve end-of-life health care by clarifying the use of the Physician Orders for Life-Sustaining Treatment forms - POLST.

Put into a physician order - medical format, a patient's advanced life directive, the POLST form is crucial for doctors to carry out end-of-life wishes for a patient.

Richard Cohen from Georgia POLST Coalition spoke for the bill.
Anna Adams from Georgia Hospital Association spoke for the bill.

SB 109 HEARING ONLY

With no further business, Sen. Unterman (45th) adjourned the meeting at 2:35 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 2:00 p.m. on Thursday, February 26, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th)
Sen. Steve Henson (41st) (Arrived at 2:17 p.m.)
Sen. Judson Hill (32nd) (Arrived at 2:14 p.m.)
Sen. Lester Jackson (2nd) (Arrived at 2:14 p.m.)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived at 2:14 p.m.)
Sen. Ben Watson (1st) (Arrived at 2:05 p.m.)
Sen. Nan Orrock (36th) (Arrived at 2:16 p.m.)

NOTE: Sen. David Shafer (48th) and Sen. Bill Cowsert (46th) were absent.

Sen. Unterman (45th) called the meeting to order at 2:04 p.m.

SB 114 (Sen. Hufstetler, 52nd, LC 33 5926) Advanced Practice Registered Nurses; number of advanced practice registered nurses a delegating physician enter a protocol agreement; provisions

Sen. Hufstetler (52nd), the author of SB 114, presented the bill to the Committee. SB 114 adds a new exception for advanced practice registered nurses practicing in any community service board to the limit on nurse protocol agreements.

No one spoke for or against the bill.

Sen. Burke (11th) made a motion **Do Pass**. Sen. Millar (40th) seconded the motion. The motion passed unanimously. 6-0. With Sen. Hufstetler (52nd), Sen. Millar (40th), Sen. Burke (11th), Sen. Butler (55th), Sen. Kirk (13th), and Sen. Watson (1st) voting yea.

SB 114 DO PASS

SB 131 (Sen. Dugan, 30th, LC 21 3668) Department of Behavioral Health and Developmental Disabilities; provide for certification; policies and procedures

Sen. Mike Dugan (30th), the author of SB 131, presented the bill to the Committee. SB 131 allows the Department of Behavioral Health and Developmental Disabilities

(DBHDD) to certify Crisis Stabilization Units (CSUs), changing the previous language from “license” to “certify.”

Andrew Johnson, from the Department of Behavioral Health and Developmental Disabilities, spoke for the bill.

Sen. Kirk (13th) made a motion **Do Pass**. Sen. Jackson (2nd) seconded the motion. The motion passed unanimously.

SB 131 DO PASS

SB 109 (Sen. Orrock, 36th, LC 33 5887) Health; clarify the use and effectiveness of Physician Orders for Life-Sustaining Treatment forms

Sen. Orrock (36th), the author of SB 109, presented the bill to the Committee, in a continuation from the last Committee meeting February 19, 2015.

Kathy Kinlaw ethicist at Emory University’s Ethics Department spoke to the changes made to the bill from the last hearing, specifically the immunity language. Changes were made in the immunity language to reflect compliance with the standards in place for an Advanced Life Directive.

Mike Griffin, the State Field Director of Georgia Right to Life and Joshua Edmonds, Director of Education & Technology for Georgia Right to Life, both spoke to say that they would like to have more time to review the bill before it came to a vote in Committee. Both expressed concerns, as well as wanted to add language to address concerns.

Frank Bohey, from 2401 Lake Park Drive in Smyrna, GA stated that he had concerns with parts of the bill, but did support it.

Marcus Downs, from the Medical Association of Georgia, supported the bill.

Sheila Humberstone, from the Georgia Chapter of the Alzheimer’s Association, spoke in favor of the bill.

Jim Collins, from Georgia Trial Lawyers, supported the bill, as well.

Georgia Hospice spoke in support of the bill.

Emily Matson, an attorney for family law and estate planning in Rome, GA, and Executive Director of Georgia Life Alliance did not support the bill in its current state. The bill language would possibly allow a third party, when a patient is in end-of-life stages, to manipulate or change the patient’s wishes. Sen. Unterman (45th) asked Ms. Matson to go line-by-line through the bill and then submit her comments to the author so her concerns could be addressed.

3 amendments were presented, authored by Sen. Hill (32nd), on lines 48, 75, and 85. Sen. Unterman (45th) asked for a new substitute to be submitted to include all of the new language discussed today. The Committee will then vote on it in the next Health and Human Services Committee Meeting, Tuesday, March 3, 2015.

SB 109 HEARING ONLY

With no further business, Sen. Unterman (45th) adjourned the meeting at 3:09 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:30 p.m. on Tuesday, March 3, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman (Arrived at 1:32 p.m.)
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th) (Arrived at 1:47 p.m.)
Sen. Gloria Butler (55th)
Sen. Bill Cowsert (46th)
Sen. Steve Henson (41st)
Sen. Judson Hill (32nd)
Sen. Lester Jackson (2nd)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived at 1:35 p.m.)
Sen. Ben Watson (1st)
Sen. Nan Orrock (36th)

NOTE: Sen. David Shafer (48th) was absent.

Sen. Unterman (45th) called the meeting to order at 1:31 p.m.

SB 115 (Sen. Hufstetler, 52nd, LC 33 5908) Physician Assistants; authorize a physician to delegate to physician assistant the authority to prescribe Schedule II controlled substances

Sen. Hufstetler (52nd), the author of SB 115, presented the bill to the Committee. SB 115 gives physician assistants the ability to give one 30-day prescription of “hydrocodone compound products”; although an actual physician may authorize more.

Sen. Hill (32nd) asked if a similar bill has passed in other states. Sen. Hufstetler (52nd) responded that “40 states are on board with similar legislation as SB 115.” The Food & Drug Administration (FDA) has moved hydrocodone from schedule 3 to schedule 2, making access more restrictive.

Sen. Millar (40th) noted that this bill is a step to providing access, and urged the Committee not to lose the purpose of the bill.

Sen. Kirk (13th) asked Sen. Hufstetler (52nd) if he saw the bill as an access-to-care issue or as one of substance abuse. Sen. Hufstetler (52nd) replied that he saw it as people being able to give care without having to work longer hours. If patients need to see the physician a second time, they may see him for extensive care.

Sen. Watson (1st) disagreed with this point.

Sen. Henson (41st) made a motion **Do Pass by Substitute (LC 33 6090S)**. Sen. Orrock (36th) seconded the motion. The motion passed with a vote of 9-3. The yea votes were Sen. Hufstetler (52nd), Sen. Millar (40th), Sen. Burke (11th), Sen. Butler (55th), Sen. Henson (41st), Sen. Jackson (2nd), Sen. Ligon, Jr. (3rd), Sen. Orrock (36th) and Sen. Kirk (13th). The nay votes were Sen. Cowser (46th), Sen. Watson (1st) and Sen. Hill (32nd).

SB 115 DO PASS BY SUBSTITUTE (LC 33 6090S)

SB 109 (Sen. Orrock, 36th, LC 33 5887) Health; clarify the use and effectiveness of Physician Orders for Life-Sustaining Treatment forms

Sen. Orrock (36th), the author of SB 109, presented the bill to the Committee with changes on lines 48-49, 51, 58, and 76.

It was noted by Sen. Unterman (45th) that Josh Edmonds and Mike Griffin from Georgia Right to Life and Amy House from the Alzheimer's Association have previously spoken for the bill.

Sen. Hill (32nd) made a motion **Do Pass by Substitute (LC 33 6092S)**. Sen. Watson (1st) seconded the motion. The motion passed with a vote of 11-1. The yea votes were Sen. Hufstetler (52nd), Sen. Millar (40th), Sen. Burke (11th), Sen. Butler (55th), Sen. Cowser (46th), Sen. Hill (32nd), Sen. Henson (41st), Sen. Watson (1st), Sen. Jackson (2nd), Sen. Orrock (36th) and Sen. Kirk (13th). The nay vote was Sen. Ligon, Jr. (3rd).

SB 109 DO PASS BY SUBSTITUTE (LC 33 6092S)

With no further business, Sen. Unterman (45th) adjourned the meeting at 3:18 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 4:30 p.m. on Thursday, March 5, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary (Arrived at 5:20 p.m.)
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th) (Left at 6:58 p.m.)
Sen. Bill Cowsert (46th) (Left at 5:00 p.m.)
Sen. Judson Hill (32nd)
Sen. Lester Jackson (2nd) (Arrived at 4:55 p.m.)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived at 5:29 p.m.)
Sen. Nan Orrock (36th) (Arrived at 4:48 p.m. and left at 6:58 p.m.)
Sen. Ben Watson (1st) (Left at 6:40 p.m.)

NOTE: Sen. Steve Henson (41st) and Sen. David Shafer (48th) were absent.

Sen. Unterman (45th) called the meeting to order at 4:38 p.m.

SB 130 (Sen. Thompson, 14th, LC 21 3672) "Smokefree Cars for Children Act"; any person in control of a motor vehicle who smokes; person under the age of 15 in vehicle; misdemeanor

Sen. Bruce Thompson (14th), the author of SB 130, presented the bill to the Committee.

Sen. Watson (1st) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed unanimously.

SB 130 DO PASS

SB 185 (Sen. Tippins, 37th, LC 25 6489) Health; program of clinical trials of Cannabidiol-containing products; treating certain residents under 18 years of age who have medication-resistant epilepsies

Sen. Tippins (37th), the author of SB 185, presented the bill to the Committee. Sen. Tippins (37th) stated the purpose was to create a bill that would be in compliance with federal law and still meet the needs of Georgia children.

Sen. Hill (32nd) spoke to change lines 26 and 46 from "controlled substances" to "drugs."
Sen. Orrock (36th) suggested adults need to be included in the bill as well, not only those 18 and under.

Sen. Jackson (2nd) spoke to change line 101, changing the sunset clause to the year “2020.”

Sen. Unterman (45th) spoke to change line 293 to “become effective upon the Governor’s signature.”

Sen. Watson (1st) spoke to change line 75 in order to ensure those administering Cannabidiol, such as nurses, physicians’ assistants and clinical personnel are covered in the immunity language.

Sen. Hufstetler (52nd) presented Section 2 of SB 185.

Sen. Millar (40th) expressed concern that Georgia would violate federal law by changing the CBD and THC amount. He asked whether in such a case Georgia could be federally prosecuted.

Sen. Ligon, Jr. (3rd) expressed concern whether companies that transport the oil would fall under the classification “suppliers.” Sen. Ligon, Jr. (3rd) further observed that “suppliers” are not offered the same immunity as physicians.

Stewart King, from LaGrange, GA, whose 20-year-old daughter lives in Colorado, spoke against the bill. He wanted to know why there was a separate bill when HB 1 passed the House. Sen. Unterman (45th) replied that the purpose is to merge the two bills: SB 185 and HB 1.

Danny Porter, District Attorney - Gwinnett County and Chucks Spahos, Executive Director of the Prosecuting Attorneys’ Council of GA (PAC), spoke for the bill, supporting the CBD to THC ratio and the immunity language so those who are on the Cannabidiol oil would be able to return to Georgia. Both stated opposition to HB 1 in its current form, but highlighted that there were good points that could be merged with SB 185.

Virginia Galloway, from the Faith and Freedom Coalition spoke for the bill.

Shannon Cloud, parent of an epileptic child, spoke against the bill.

Sen. Millar (40th) made a motion SB 185 **Do Pass by Substitute (LC 37 1973S)**. Sen. Jackson (2nd) seconded the motion. The motion passed unanimously.

SB 185 DO PASS BY SUBSTITUTE (LC 37 1973S)

SB 145 (Sen. McKoon, 29th, LC 40 0735) **Board of Community Health; provide that one member of the board is member of the state health benefit plan**

Sen. Hill (32nd), the author of SB 145, presented the bill to the Committee.

Sen. Millar (40th) made a motion **Do Pass**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

SB 145 DO PASS

Sen. Unterman (45th) called a recess of the meeting at 7:30 p.m., to re-convene March 6, 2015 at 9:30 a.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 125 of the State Capitol at 9:30 a.m. on Friday, March 6, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman

Sen. Chuck Hufstetler (52nd), Vice-Chairman

Sen. Dean Burke (11th)

Sen. Gloria Butler (55th) (Arrived at 10:00 a.m.)

Sen. Bill Cowsert (46th)

Sen. Steve Henson (41st)

Sen. Judson Hill (32nd) (Arrived at 9:55 a.m.)

Sen. Greg Kirk (13th)

Sen. William Ligon, Jr. (3rd) (Arrived at 9:40 a.m. and left at 10:24 a.m.)

Sen. Nan Orrock (36th) (Arrived at 10:00 a.m.)

NOTE: Sen. Lester Jackson (2nd), Sen. Fran Millar (40th), Secretary, Sen. David Shafer (48th) and Sen. Ben Watson (1st) were absent.

Sen. Unterman (45th) called the meeting to order at 9:35 a.m. Friday, March 6, 2015.

[SB 126](#) (Sen. Hufstetler, 52nd, LC 37 1909ER) Pharmacists and Pharmacies; expansion of certain medical professionals to prescribe auto-injectable epinephrine to authorized entity; emergency purposes

Sen. Hufstetler (52nd), the author of SB 126, presented his bill to the Committee and stressed the importance of epinephrine, not only for patients with allergies, but also for patients with asthma.

Sen. Ligon, Jr. (3rd) expressed concern, asking what if an epinephrine shot was given to a child who was thought to be having an allergic reaction. Sen. Hufstetler (52nd) replied if an epi-pen was administered and the child was not having an allergic reaction the dosage would not be enough to harm the child.

Sen. Henson (41st) made a motion **Do Pass by Substitute (LC 37 1951ERS)**. Sen. Ligon, Jr. (3rd) seconded the motion. The motion passed unanimously.

SB 126 DO PASS BY SUBSTITUTE (LC 37 1951ERS)

[SB 138](#) (Sen. Miller, 49th, LC 33 5963-EC) Social Services; provide for various reforms regarding the state's child welfare system

Sen. Butch Miller (49th), the author of SB 138, presented the bill with Bobby Cagle, Director of the Division of Family and Children Services.

Lines 86, 88, 91, 345, 346, 381-383, 386-391, 394-415 had been adjusted from the original bill.

SB 138 establishes a child abuse registry that includes a process for the entry of reported convictions, as well as limitations on access to information in the registry. There will be interagency cooperation for the collection and sharing of data.

Sen. Cowsert (46th) and Sen. Ligon, Jr. (3rd) directed questions to Director Cagle about the preponderance of evidence, DFCS policy when investigating, and who carries the burden of proof in determining if a child was abused.

NOTE: Sen. Butler (55th), Sen. Hill (32nd) and Sen. Orrock (36th) arrived.

Stephanie Blank, representing the Governor's Child Welfare Reform Council spoke for the bill.

David Tatum, of Children's Healthcare of Atlanta, also spoke for the bill.

Sen. Cowsert (46th) made a motion **Do Pass by Substitute (LC 37 1974S)**. Sen. Henson (41st) seconded the motion. The motion passed unanimously.

SB 138 DO PASS BY SUBSTITUTE (LC 37 1974S)

SB 194 (Sen. Jeffares, 17th, LC 28 7558) **Pharmacists and Pharmacies; certain provisions shall not apply; facility engaged solely in the distribution of dialysate, drugs; patients with end stage renal disease**

Sen. Rick Jeffares (17th), the author of SB 194, presented the bill to the Committee. Elizabeth Stoll, with Baxter Health Care, spoke for the bill. SB 194 would make it easier for a distribution center to not have to register as a pharmacy in order to deliver boxed dialysate to patients.

Sen. Henson (41st) made a motion **Do Pass**. Sen. Burke (11th) seconded the motion. The motion passed unanimously.

SB 194 DO PASS

With no further business, Sen. Unterman (45th) adjourned the meeting at 10:36 a.m.

Respectfully submitted,

/s/ Sen. Renee Unterman (45th), Chairman

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 1:30 p.m. on Thursday, March 19, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th)
Sen. Bill Cowsert (46th) (Left at 3:00 p.m., returned at 3:25 p.m.)
Sen. Steve Henson (41st) (Arrived at 2:10 p.m.)
Sen. Judson Hill (32nd) (Arrived at 2:19 p.m.)
Sen. Lester Jackson (2nd) (Left at 3:00 p.m., returned at 3:25 p.m.)
Sen. Greg Kirk (13th)
Sen. Ben Watson (1st)
Sen. William Ligon, Jr. (3rd) (Arrived at 1:48 p.m.)
Sen. Nan Orrock (36th)

NOTE: Sen. David Shafer (48th) was absent.

Sen. Unterman (45th) called the meeting to order at 1:30 p.m.

[SR 462](#) (Sen. Stone, 23rd, LC 37 1968) U.S. Congress; urged to amend the Controlled Substances Act of 1970; authorize the study of medical marijuana

Sen. Jesse Stone (23rd), the author of SR 462, presented the resolution to the Committee. SR 462 cites the need to promote uniformity, the ability to protect public health and safety, and the desire to prevent state citizens from becoming medical refugees as reasons for changing existing federal law.

Sen. Millar (40th) made a motion **Do Pass**. Sen. Orrock (36th) seconded the motion. The motion passed unanimously.

SR 462 DO PASS

[SR 84](#) (Sen. Burke, 11th, LC 21 3593) U.S. Congress; urged to enact significant reforms to the nation's federally financed graduate medical education programs

Sen. Burke (11th), the author of SR 84, read the resolution.

Sen. Orrock (36th) made a motion **Do Pass**. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

SR 84 DO PASS

HB 198 (Rep. Dempsey, 13th, LC 33 5849) Jason Flatt Act-Georgia; enact

Rep. Katie M. Dempsey (13th), the author of HB 198, presented the bill to the Committee. HB 198 does not require additional expenses for schools to implement. The school system has the option to use the Jason Flatt materials for suicide prevention or to develop their own.

Sen. Burke (11th) made a motion **Do Pass**. Sen. Jackson (2nd) seconded the motion. The motion passed unanimously.

HB 198 DO PASS

HB 1 (Rep. Peake, 141st) Haleigh's Hope Act; enact

“Haleigh’s Hope Act;” legalizes the possession of 20 fluid ounces of 5% “low THC oil” for certain persons involved in clinical research programs or registered with DPH in the “Low THC Oil Patient Registry” provided under this Act. This substitute LC 29 6575S is a “merger” of the House and Senate (SB 185) medical cannabis bills.

Rep. Allen Peake (141st), the author of HB 1, presented his substitute and explained it is a merger of his House bill and SB 185. He explained that the concentration of 5% THC in the definition of “low THC oil” is integral to the passage of the bill and would ensure all medical refugees could return to Georgia, stating that SB 185’s “0.03 percent” is simply too low for patients currently receiving dosages of higher concentrations. He also emphasized to the Committee that the listed conditions of diagnoses making a person eligible to register with the Department of Public Health’s (DPH) Registry is important because it includes other conditions beyond medically-resistant epilepsies. Sen. Unterman (45th) presented her own substitute LC 37 1995S, which was similar. She commented that she was pleased with the drafting of the immunity language. The Committee offered numerous amendments to Sen. Unterman’s (45th) proposed Committee substitute, as she wanted to “perfect” the bill in Committee and avoid efforts to “fix it on the floor.” The Committee passed out a substitute that incorporates the amendments below into Sen. Unterman’s (45th) proposed substitute.

Testimony

Katie McKoy, suffering from Mitochondrial disease, advocated for “palliative relief” in the bill.

Dr. Atkinson, Children’s Medical Center - Dallas, Texas testified on the need for more research on the psychoactive components of medical cannabis. He said young children’s brains are still forming and could be damaged if the effects of the drug are not known.

Dr. Paul Early, Neurological Specialist, emphasized the need for medical cannabis compound to be strictly legislated because of its addictive nature.

Dr. William Jacobs testified that SB 185 is a good approach to medical cannabis because it allows time for Georgia Regents University (GRU) to conduct studies and collect data. Lindsey Crosby, from Macon, GA, testified in favor of the bill.

Dr. James Smith, from Buford, GA, testified extensively for the bill. Dr. Smith is an emergency room physician and has a daughter with a seizure disorder.

Multiple advocates from the Sickle Cell Foundation spoke for the bill.

Dale Jackson, from LaGrange, GA, spoke for the bill and for adding “autism spectrum disorders” back to the bill.

Sandy Folsom, from Conyers, GA, spoke in opposition to the bill.

Tanya Diddy, from Marietta, GA, spoke in opposition to HB 1 and in favor of SB 185.

Virginia Galloway with the Faith and Freedom Coalition spoke in favor of SB 185.

Julie Fuesel, of Jonesboro, GA, spoke in favor of the bill.

Dr. Brenda Stanford, suffering from epilepsy, spoke for the bill and in favor of keeping resources in the state.

Mike Griffin, with the Georgia Baptist Convention, spoke to the bill, and was neither in favor nor in opposition.

Mitch Smith, from Ball Ground, GA, spoke in favor of the bill and suggested that the committee consider adding pain management to the list of illnesses.

Chuck Spahos, executive director of PAC and Danny Porter, District Attorney – Gwinnett, spoke to the ratio of CBD to THC in order to clarify the federal standard.

The following amendments were voted on in Committee:

1. Sen. Hufstetler (52nd) made a motion to adopt amendment #1. : Revises the definition of low THC oil to ensure that there is, at a minimum, a 1:1 ratio of CBD to THC in “low THC oil” definition (okay to have more CBD than THC); strikes through words “cannabidiol and” on Line 28 and inserts after “tetrahydrocannabinol” on Line 29 “, and an amount of cannabidiol equal to or greater than the amount of tetrahydrocannabinol.” This was drafted with Chuck Spahos after learning that the GBI lab did not understand the definition as previously drafted and expressed opposition to the Governor earlier this session. Sen. Cowser (46th) seconded the motion. The motion passed unanimously.

2. Sen. Ligon (3rd) made a motion to adopt amendment #2. This amendment will strike the number 5 on line 29 and replace it with .03. Sen. Burke (11th) seconded the motion. The motion failed with a vote of 4-7.

3. Sen. Henson (41st) made a motion to adopt amendment #3. It revises language for conditions requiring “end stage diagnosis” to be eligible for the Registry; A: it strikes through Lines 108 referring to cancer so that the diagnosis doesn’t have to be end stage if treatment produces certain effects in Line 109; B: it inserts on Lines 110, 112, 115 and 116 (ALS, MS, Parkinson’s, and sickle cell disease) the words “severe or” so these are not limited to just end stage diagnoses. Sen. Orrock (36th) seconded the motion. Sen. Henson (41st) withdrew his motion.

4. Sen. Watson (1st) made a motion to adopt amendment #4. It revises language for conditions requiring “end stage diagnosis” to be eligible for the Registry; Strikes through “therefor” in Line 108 referring to cancer so that the diagnosis doesn’t have to be end stage if treatment produces certain effects in Line 109. Sen. Burke (11th) seconded the motion. The motion passed unanimously.

5. Sen. Watson (1st) made a motion to adopt amendment #5. It inserts on Lines 110, 112, 115 and 116 (ALS, MS, Parkinson’s, and sickle cell disease) the words “severe or” so these are not limited to just end stage diagnoses. Sen. Orrock (36th) seconded the motion. The motion passed unanimously.

6. Sen. Henson (41st) made a motion to adopt amendment #6. On line 116, I will be added to the alphabet to include fibromyalgia, and then enumerating. Sen. Jackson (2nd) seconded the motion. The motion failed with a 3-9 vote.

7. Sen. Ligon (3rd) made a motion to adopt amendment #7. It will delete lines 108, 109, 110, 112, 113, 115 and 116. There was no second. The motion failed.

8. Sen. Orrock (36th) made a motion to adopt amendment #8. It will delete the residential requirement on lines 126-128. Sen. Jackson (2nd) seconded the motion. The motion failed.

9. Sen. Cowser (46th) made a motion to adopt amendment #9. It revises language that requires persons participating in the Registry to be resident in Georgia for at least one year by adding in Line 127 “, or a child born in this state and less than a year old” after the phrase “at least one year.” Sen. Hufstetler (52nd) seconded the motion. The motion passed.

10. Sen. Watson (1st) made a motion to adopt amendment #10. It changes the number of members on the Commission from “16” to “17” to accommodate adding a “board certified gastroenterologist” on Line 173; Changes the board certified oncologist in 172 to “a board certified hematologist-oncologist” since most oncologists are also certified in hematology and this physician treats sickle cell disease, a listed condition. Sen. Orrock (36th) seconded the motion. The motion passed unanimously.

11. Sen. Burke (11th) made a motion to adopt amendment #11. This provides that the board is to provide a waiver form that states that low THC oil is not approved by the FDA and may cause harm, etc. Requires that prior to being registered in the Registry, a patient or his/her caregiver must sign this waiver form. This is being incorporated in the Registry section (Part II). Sen. Millar (40th) seconded the motion. The motion passed 11-1, with Sen. Orrock (36th) voting no.

9A. Sen. Watson (1st) made a motion to adopt amendment 9A. It perfects amendment #9 made by Sen. Cowsert (46th) regarding persons less than one year of age so that this section doesn't apply to any Georgia residents living temporarily in another state as a medical refugee to get CBD oil. Sen. Hufstetler (52nd) seconded the motion. The motion passed unanimously.

Sen. Millar (40th) made a motion **Do Pass by Substitute (LC 37 1997S)**. Sen. Orrock (36th) seconded the motion. The motion passed with a vote of 8-4. The yea votes were Sen. Butler (55th), Sen. Orrock (36th), Sen. Jackson (2nd), Sen. Millar (40th), Sen. Henson (41st), Sen. Kirk (13th), Sen. Watson (1st) and Sen. Cowsert (46th). The nay votes were Sen. Burke (11th), Sen. Ligon (3rd), Sen. Hufstetler (52nd) and Sen. Hill (32nd).

HB1 DO PASS BY SUBSTITUTE (LC 37 1997S)

With no further business, Sen. Unterman (45th) adjourned the meeting at 4:28 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 3:30 p.m. on Tuesday, March 24, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th)
Sen. Bill Cowsert (46th) (Arrived at 3:35 p.m.)
Sen. Judson Hill (32nd) (Arrived at 3:35 p.m.)
Sen. Lester Jackson (2nd) (Arrived at 3:33 p.m.)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Nan Orrock (36th)
Sen. Ben Watson (1st)

NOTE: Sen. Steve Henson (41st) and Sen. David Shafer (48th) were absent.

Sen. Unterman (45th) called the meeting to order at 3:31 p.m.

[HB 177](#) (Rep. Wilkerson, 38th, LC 29 6148) Social services; school personnel required to report child abuse shall be notified by child protective agency upon receipt of report and completion of investigation; provide

Rep. David Wilkerson (38th), the author of HB 177, presented the bill to the Committee. **HB 177** closes the reporting loop between the Division of Family and Children Services (DFCS) and a school when a school employee makes a report of suspected child abuse. This bill is aimed at the past deaths of children, especially in 2013 and discussed during the 2014 session in connection with child welfare reform. This bill ensures that there is communication back to the school from which a report of suspected child abuse was made, both that the report was received (within 24 hours of receipt by DFCS), and whether the case has been confirmed or unconfirmed (within 5 days of completing investigation).

Sen. Orrock (36th) made a motion **Do Pass**. Sen. Millar (40th) seconded the motion. The motion passed unanimously.

HB 177 DO PASS

[HB 394](#) (Rep. Cooper, 43rd, LC 33 5961) Georgia Board of Nursing; revise provisions relating to powers and duties; provisions

Rep. Sharon Cooper (43rd), the author of HB 394, presented the bill to the Committee. **HB 394** gives the “new” Georgia Board of Nursing the same authority the former Georgia Board of Examiners of Licensed Practical Nurses had and updates graduate nursing education provisions. This is a clean-up bill following the merger/transfer to the new Georgia Board of Nursing.

Sen. Orrock (36th) made a motion **Do Pass**. Sen. Burke (11th) seconded the motion. The motion passed unanimously.

HB 394 DO PASS

HB 504 (Rep. Cooper, 43rd, LC 33 6085S) **Health; vaccination against meningococcal disease of college students; revise provisions**

Rep. Sharon Cooper (43rd), the author of HB 504, presented the bill to the Committee. **HB 504** Provides regulations enabling pharmacists and nurses at “Quick Cares” to administer vaccines for pneumonia, shingles, and meningitis pursuant to a vaccine protocol agreement (VPA) with a physician to certain persons & requires reporting to the Georgia Registry of Immunization Transactions and Services (GRITS). This bill ensures communication with the physician by the pharmacist or nurse giving the vaccine and provides for penalties for noncompliance. Patients will also get a vaccine card to carry and be updated with future vaccinations. This bill was presented as a proposed Committee sub and passed out of the HHS Committee without any changes to the sub.

Kathy Kuzava, Georgia Food Industry Association, spoke in support of the bill.

Cyndi Shepherd, Pharmacy Association, spoke in support of the bill.

Marcus Downs, Medical Association of Georgia, spoke in support of the bill.

Sen. Burke (11th) made a motion **Do Pass by Substitute (LC 33 6159S)**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

HB 504 DO PASS BY SUBSTITUTE (LC 33 6159S)

HB 505 (Rep. Cooper, 43rd) **Physical therapists; licensure and regulations of therapists and therapy assistants; revise various provisions**

Rep. Sharon Cooper (43rd), the author of HB 505, presented the bill to the Committee.

HB 505 allows physical therapists (PTs) to treat patients without a referral from a physician for 8 visits or 21 days from the initial visit, whichever occurs first. This bill is a compromise between PTs, chiropractors, and orthopedists and was perfected through this committee sub.

In support of the bill were the following:

PT patients (2): Both stated it is burdensome to wait for a referral from a general practitioner as well as to pay for a visit simply for the purpose of obtaining a referral to their PT.

Aubrey Villines, Physical Therapy Association of Georgia (PTA), who also worked on the bill, spoke in support.

A PT testified who works for Dekalb County School System and sees children with disabilities under an Individualized Education Program (IED).

The PT is put in a difficult situation because she must comply with the IED (by law) but must also comply with the Practice Act to get a referral from a physician for something as simple as needing a lift for a child in order to assist them in using the bathroom.

The Georgia Orthopedic Society, which also worked on the bill.

Speaking in opposition to the bill were:

The Georgia Chiropractic Association (GCA), which is opposed only regarding the scope of practice of the chiropractor, which was addressed by Sen. Watson's (1st) amendment below. GCA was clear that with Sen. Watson's (1st) change, there is no opposition from them.

The following amendments were voted on:

1: Sen. Watson (1st) made a motion to adopt amendment #1. It will change the number of days and visits on line 198. Sen. Burke (11th) seconded the motion. The motion failed with a vote of 5-5. Sen. Unterman broke the tie with a nay vote.

2: Sen. Burke (11th) made a motion to adopt amendment #2. It adds language that makes it clear that a PT's treatment of a patient under this bill is not to cross over into the scope of practice of a chiropractor or prevent any other health care provider from administering techniques authorized within their scope of practice. Sen. Watson (1st) seconded the motion. The motion passed unanimously.

3: Sen. Watson (1st) added language specifying that a DPT degree is to be from an accredited institution (addresses concerns regarding a PT being able to earn part of their degree "online"—this is not an issue if from an accredited program that requires a minimum number of clinical experience and hours). Sen. Millar (40th) seconded the motion. The motion passed unanimously.

Sen. Millar (40th) made a motion **Do Pass by Substitute (LC 37 2011S)**. Sen. Orrock (36th) seconded the motion. The motion passed unanimously (10-0). Yeas: Sen. Millar (40th), Sen. Ligon, Jr. (3rd), Sen. Burke (11th), Sen. Watson (1st), Sen. Orrock (36th), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Cowser (46th), Sen. Jackson (2nd), and Sen. Butler (55th).

HB 505 DO PASS BY SUBSTITUTE (LC 37 2011S)

HB 436 (Rep. Clark, 101st, LC 33 6087S) Georgia HIV/Syphilis Pregnancy Screening Act of 2015; enact

Rep. Valerie Clark (101st), the author of HB 436, presented the bill to the Committee.

HB 436 requires physicians to offer testing for HIV and syphilis to pregnant women in the “crucial” third trimester and allows physicians to test mothers at the time of birth of the child if there has been no testing or the mother refused testing earlier. Rep. Clark (101st) presented on a proposed Senate Committee sub to her bill, LC 33 6147S.

In support of the bill were the following groups:

Advanced Practice Registered Nurses
Department of Community Health
AIDS Coalition

Sen. Burke (11th) made a motion **Do Pass by Substitute (LC 33 6147S)**. Sen. Orrock (36th) seconded the motion. The motion passed unanimously (10-0) Yeas: Sen. Burke (11th), Sen. Watson (1st), Sen. Ligon, Jr. (3rd), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Butler (55th), Sen. Cowsert (46th), Sen. Millar (40th), Sen. Orrock (36th), and Sen. Jackson (2nd).

HB 436 DO PASS BY SUBSTITUTE (LC 33 6147S)

HB 342 (Rep. Kelley, 16th, LC 29 6545S) Nursing homes; violation of certain regulations shall not constitute negligence per se; provide

Rep. Trey Kelley (16th), the author of HB 342, presented the bill to the Committee.

HB 342 provides that a violation of federal or state nursing home regulations is not to constitute “negligence per se” and prevents attorneys from using misleading violation information in advertisements or solicitations to the public. The Committee added 2 changes to the “As Passed House” version of the bill, passing this bill out as a Committee sub.

In support of the bill were the following groups:

Georgia Trial Lawyers Association
Georgia Health Care Association

Sen. Cowsert (46th) made a motion to adopt an amendment that adds language that reinstates House language that specifies what would be given to a jury for evidence; if violations of regulations is found to be relevant to the harm alleged in the complaint, this information can be read to the jury even though it does not constitute negligence per se. Sen. Orrock (36th) seconded the motion. The motion passed unanimously.

Sen. Cowsert (46th) made a motion to adopt an amendment that adds language “or the successor of such regulation” in the first paragraph of the bill (Line 13) to protect against

this language not being able to be applied in the future if a regulation changed. Sen. Orrock (36th) seconded the motion. The motion passed unanimously.

Sen. Cowsert (46th) made a motion **Do Pass by Substitute (LC 37 2012S)**. Sen. Watson (1st) seconded the motion. The motion passed unanimously (10-0). Yeas: Sen. Millar (40th), Sen. Ligon, Jr. (3rd), Sen. Burke (11th), Sen. Watson (1st), Sen. Orrock (36th), Sen. Cowsert (46th), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Jackson (2nd), and Sen. Butler (55th).

HB 342 DO PASS BY SUBSTITUTE (LC 37 2012S)

HB 416 (Rep. Rogers, 29th, LC 33 6083S) Consumer Information and Awareness Act; enact

Rep. Carl Rogers (29th), the author of HB 416, presented the bill to the Committee.

The “Consumer Information and Awareness Act” requires health care practitioners to wear identifiers (IDs or on lab coat) during patient encounters. This is to apply only to health care practices and facilities where more than one type of health care practitioner interacts with patients in exam settings (not required in operating rooms or sterile environments). Exceptions apply for dentists if not practicing in a hospital and for mental health professionals who would be in danger by revealing their first and last name to a patient.

In support were the following groups:

Medical Association of Georgia: It believes this is very necessary. The representative shared a story about a volunteer in a Florida hospital who masqueraded as an OB/GYN
Certified Dietician from Georgia Academy of Nutrition and Dietetics: The speaker supports transparency and clarity regarding titles in her field and those of other health care practitioners in other fields.

Sen. Millar (40th) made a motion **Do Pass**. Sen. Orrock (36th) seconded the motion. The motion passed unanimously. (7-0) Yeas: Sen. Butler (55th), Sen. Jackson (2nd), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Millar (40th), Sen. Orrock (36th), and Sen. Burke (11th).

HB 416 DO PASS

HB 183 (Rep. Knight, 130th, LC 36 2701ERS) Home Care Patient Protection Act; enact

Rep. David Knight (130th), the author of HB 183, presented the bill to the Committee.

The “Home Care Patient Protection Act” clarifies current law by making it clear that licensure requirements applying to private home care providers do not extend to such providers as unskilled workers. This does not interfere with entities acting as independent contractors for the purpose of locating and referring a person to a service that is provided by a licensed health care professional.

Both the Georgia Association for Home Care and Georgia Coalition on Aging support the bill.

Sen. Millar (40th) made a motion **Do Pass**. Sen. Orrock (36th) seconded the motion. The motion passed unanimously. (8-0) Yeas: Sen. Butler (55th), Sen. Jackson (2nd), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Millar (40th), Sen. Orrock (36th), Sen. Burke (11th) Sen. Watson (1st).

HB 183 DO PASS

HB 316 (Rep. Reeves, 34th, LC 33 6040S) **Professional corporations; practice of medicine and surgery and optometry shall be considered the practice of only one profession; provide**

Rep. Bert Reeves (34th), the author of HB 316, presented the bill to the Committee.

HB 316 allows the practice of medicine, surgery, and optometry to be considered as the practice of one profession for the purposes of professional corporations.

Rep. Reeves (34th) explained that this is strictly a corporations bill. “Right now, professionals wishing to practice must incorporate under LLCs and it’s more complicated when it comes to sharing the equities of the corporation,” he said. He also added that this bill is not in violation of any STARK law or other federal laws or regulations.

Sen. Watson (1st) made a motion **Do Pass**. Sen. Burke (11th) seconded the motion. The motion passed unanimously. (7-0) Yeas: Sen. Butler (55th), Sen. Hufstetler (52nd), Sen. Kirk (13th), Sen. Burke (11th), Sen. Watson (1st), Sen. Ligon, Jr. (3rd), and Sen. Unterman (45th).

HB 316 DO PASS

With no further business, Sen. Unterman (45th) adjourned the meeting at 6:24 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

The Senate Committee on Health & Human Services met in Room 450 of the State Capitol at 3:30 p.m. on Thursday, March 26, 2015.

MEMBERS PRESENT:

Sen. Renee Unterman (45th), Chairman
Sen. Chuck Hufstetler (52nd), Vice-Chairman
Sen. Fran Millar (40th), Secretary
Sen. Dean Burke (11th)
Sen. Gloria Butler (55th)
Sen. Bill Cowsert (46th)
Sen. Lester Jackson (2nd)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Nan Orrock (36th)
Sen. Ben Watson (1st)

NOTE: Sen. Steve Henson (41st), Sen. Judson Hill (32nd) and Sen. David Shafer (48th) were absent.

Sen. Unterman (45th) called the meeting to order at 3:32 p.m.

HB 72 (Rep. Willard, 51st, LC 29 6186) Crimes and offenses; protection of disabled adults and elder persons; expand and clarify

Rep. Wendell Willard (51st), the author of HB 72, presented the bill to the Committee and offered a substitute LC 29 6648ERS.

Russell Carlson, with Georgia Health Care Association, spoke for the bill.

Sen. Orrock (36th) made a motion **Do Pass by Substitute (LC 29 6648ERS)**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously (10-0).

HB 72 DO PASS BY SUBSTITUTE (LC 29 6648ERS)

HB 288 (Rep. Dempsey, 13th, LC 43 0111S) Behavioral Health Coordinating Council; two additional members to serve on council; provide

Rep. Katie M. Dempsey (13th), the author of HB 288, presented the bill to the Committee.

Sen. Orrock (36th) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed unanimously (9-0). Voting yea were: Sen. Millar (40th), Sen. Ligon, Jr. (3rd), Sen. Burke (11th), Sen. Watson (1st), Sen. Hufstetler (52nd), Sen. Orrock (36th), Sen. Cowsert (46th), Sen. Kirk (13th), and Sen. Butler (55th).

HB 288 DO PASS

HB 512 (Rep. Jasperse, 11th, LC 37 1959ERS) Mental health; governing and regulation; change certain terminology and provisions

Rep. Rick Jasperse (11th), the author of HB 512, presented the bill to the Committee.

Sen. Millar (40th) made a motion **Do Pass**. Sen. Burke (11th) seconded the motion. The motion passed unanimously (9-0). Voting yea were: Sen. Millar (40th), Sen. Ligon, Jr. (3rd), Sen. Burke (11th), Sen. Watson (1st), Sen. Hufstetler (52nd), Sen. Orrock (36th), Sen. Cowsert (46th), Sen. Kirk (13th), and Sen. Butler (55th).

HB 512 DO PASS

HB 511 (Rep. Stephens, 164th, LC 36 2734) Pharmacists and pharmacies; technicians to fill remote automated medication systems in skilled nursing facilities and hospices; authorize

Rep. Ron Stephens (164th), the author of HB 511, presented the bill to the Committee.

Part I: Provides minimum standards for pharmacy techs refilling remote automated medical systems.

Part II: Requires licensure by durable medical equipment suppliers by the Georgia Composite Medical Board.

Part III: Updates law one epi-pen, allowing epi-pens to be prescribed to and available to be administered by entities authorized by the State Board of Pharmacy (SB 126).

Sen. Unterman (45th) explained the proposed Committee substitute to the Committee. Section 1 adds minimum standards for pharmacy techs to refill remote automated medical systems to be regulated by the State Board of Pharmacy. The sub adds language relating to durable medical equipment to the bill to help eliminate fraud. Sen. Unterman (45th) explained that she has worked on this for two years and that “the durable medical equipment field is consolidating and evaporating as the big companies are buying up the little companies.” The added language addresses “unscrupulous people” and “tries to get them under control and get more regulation” by providing for the licensure of durable medical equipment suppliers by the Georgia Composite Medical Board. Sen. Unterman (45th) shared with the Committee that “the Governor’s Office is amenable to this substitute language so long as it goes under the Georgia Composite Medical Board.”

Sen. Hufstetler (52nd) moved to **adopt an amendment** (AM 37 0279), and create a new substitute. The amendment will insert the Epi Pen language from SB 126 to Section 5. There was no objection and the motion passed unanimously.

Sen. Orrock (36th) made a motion **Do Pass by Substitute (LC 37 2024S)**. Sen. Watson (1st) seconded the motion. The motion passed unanimously (10-0).

HB 511 DO PASS BY SUBSTITUTE (LC 37 2024S)

The following Senate Study Committees were presented by Sen. Unterman (45th).

SR 459 (Sen. Jackson, 2nd, LC 40 0883) **Senate Study Committee on Blind or Visually Impaired Persons; create**

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 459 DO PASS

SR 479 (Sen. Ramsey, 43rd, LC 43 0132) **Senate Ending Campus Sexual Assaults Study Committee; create**

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 479 DO PASS

SR 487 (Sen. Unterman, 45th, LC 37 1986) **Senate Preventing Youth Substance Use Disorders Study Committee; create**

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 487 DO PASS

SR 560 (Sen. Unterman, 45th, LC 37 1993) **Senate Women's Adequate Healthcare Study Committee; create**

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 560 DO PASS

SR 561 (Sen. Burke, 11th, LC 33 6151) **Consumer and Provider Protection Act (SB 158); Senate Study Committee; create**

Sen. Jackson (2nd) made a motion **Do Pass by Substitute (LC 33 6169S)**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 561 DO PASS BY SUBSTITUTE (LC 33 6169S)

SR 566 (Sen. Unterman, 45th, LC 37 1999) Senate Abusive Billing Practices Study Committee; create

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 566 DO PASS

SR 594 (Sen. McKoon, 29th, LC 40 0925) Senate Rate of Diagnosis for Children with Attention Deficit Hyperactivity Disorder and Related Disorders Study Committee; create

Sen. Jackson (2nd) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed (9-0).

SR 594 DO PASS

With no further business, Sen. Unterman (45th) adjourned the meeting at 5:10 p.m.

Respectfully submitted,

/s/ Sen. Fran Millar (40th), Secretary

April 9, 2015

Mr. David A. Cook
Secretary of the Senate
353 State Capitol
Atlanta, Georgia 30334

Dear Mr. Cook:

On behalf of Chairman Unterman, I am returning herewith to your office the following bills and resolutions that were not acted upon this year by the Senate Committee on Health and Human Services:

[SB 39](#)

[SB 41](#)

[SB 66](#)

[SB 86](#)

[SB 87](#)

[SB 230](#)

[SB 242](#)

[SB 248](#)

[SR 292](#)

[SR 407](#)

[SR 592](#)

[SR 595](#)

[HB 47](#)

[HB 212](#)

[HB 195](#)

Sincerely,

April Sigmund
Legislative Assistant