**GPHA Weekly Legislative Report**

Week ending March 27, 2015

By Scott Maxwell

In short, a lot of stuff happened this week! Below is a brief description of the medical marijuana issue and the autism controversy. That’s followed by a list of bills that saw action in a very busy, five workday week.

**Cannabis Oil Awaits Governor’s Signature**

[HB 1](http://www.legis.ga.gov/Legislation/en-US/display/20152016/HB/1) (Allen Peake-R), a bill that has been two years in developing and would legalize the use of marijuana derivatives for medical treatments, is finally on its way to the Governor, who will sign it after the session ends. As we mentioned last week, the final version combines provisions adopted earlier by both the House and Senate.

Primarily, it allows cannabis oil consisting of no more than 5 percent THC to be used in the treatment of the following specific medical conditions: cancer, amyotrophic lateral sclerosis (Lou Gehrig’s disease), multiple sclerosis, Epilepsy (and related seizure disorders), Crohn’s disease, mitochondrial disease, Parkinson’s disease and sickle cell disease.

“There are many families temporarily living out of state, medical refugees if you will, in order to buy this medical extract,” said the Governor’s floor leader, Sen. Butch Miller (R-Gainesville). HB 1 “will enable these medical refugees to come home, and that’s what this is all about.”

Gov. Deal issued a press release Friday stating that he had ordered the appropriate state agencies to begin making preparations for enactment of the bill.

**Autism Insurance Also in the Works**

The two-year struggle over medical marijuana was, in part, tied to the legislative battle over insurance coverage for treating autism. The House held the Senate’s autism bill as a hostage last year in an effort to get the upper chamber to support medical marijuana – and vice versa. This year, a compromise on this issue, too, seems to have been reached, albeit a rather complicated one.

Sen. Charlie Bethel (R-Dalton) and Rep. Richard Smith (R-Columbus), who have been feuding publicly over the autism issue, announced Thursday afternoon that they had worked out a two-part resolution to the issue.

Part 1: The language in Bethel’s SB 1 was added to [HB 429](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/429), a bill dealing with end-of-life insurance coverage for terminal patients, and passed out of committee on Friday. It will be on the Senate’s calendar for certain passage on Tuesday, after which, the House will agree to the changes made by the Senate Committee.

Part 2: Next, both houses will pass resolutions authorizing a constitutional amendment that would put a state sales tax increase of two-tenths of one percent on the statewide ballot in November 2016. If adopted by the voters, the amendment would generate an estimated $200-$300 million to cover autism treatments for children up to 18 years of age -- at which point the Senate’s insurance coverage mandate that applies only to children up to six years old would be dropped.

Most observers think the sales tax-for-autism treatments proposition is a long shot and that the Georgia Chamber of Commerce, which has strongly opposed any mandated insurance coverages, may ultimately be the big loser in this long struggle.

**Here are some of the bills of interest to public health professionals that saw action this week.**

[HR 601, Saltwater Intrusion House Study Cmte](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HR/601) (Rep. Lynn Smith-R)

A Resolution creating the House Study Committee on Saltwater Intrusion into Coastal Aquifers. **Status:** Referred to Natural Resources Cmte, Passed Cmte, Passed House

[SB 36, Prohibits Ground Water into Floridan Aquifer](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/36) (Sen. William Ligon-R)

Relating to wells and drinking water, so as to prohibit the injection of ground water into the Floridan aquifer in certain counties. **Status:** Referred to Natural Resources & Environment Cmte, Hearing Only Held, Passed Cmte by Substitute, Pending Rules Cmte, Passed Senate by Substitute, Sent to House, Referred to Natural Resources Cmte, Passed Environmental Quality Subcmte, Pending Cmte

[HB 110, Sale of Consumer Fireworks](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/110) (Rep. Jay Roberts-R)

Relating to regulation of fireworks, so as to provide for the sale of consumer fireworks; to provide for definitions; relating to specific, business, and occupation taxes, so as to provide for an excise tax on the sale of consumer fireworks. **Status:** Referred to Regulated Industries Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Public Safety Cmte, Passed Cmte by Substitute, Pending Rules Cmte

[HB 119, AIDS Disclosure](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/119) (Rep. Bert Reeves-R)

Relating to disclosure of AIDS confidential information, so as to change provisions relating to disclosure of such information under certain circumstances. **Status:** Referred to Judiciary Cmte, Passed Cmte, Pending Rules Cmte, Passed House, Sent to Senate, Referred to Judiciary Cmte, Passed Cmte, Pending Rules Cmte

[HB 362, Prescribing Albuteral Sulfate for Schools](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/362) (Rep. Valerie Clark-R)

Relating to pharmacists and pharmacies, so as to authorize licensed health practitioners to prescribe albuterol sulfate for schools.  **Status:** Referred to Health & Human Services, Passed Cmte by Substitute, Pending Rules Cmte, House Rules Calendar, House Postponed, Passed House by Substitute, Sent to Senate, Referred to Education & Youth Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, On to the Governor

[HB 426, Exemptions from Sales and Use Tax](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/426) (Rep. Darlene Taylor-R)

Relating to exemptions from sales and use tax, so as to provide a new exemption from state sales and use tax only for a limited period of time regarding the sale or use of tangible personal property to certain nonprofit health centers; to provide a new exemption for a limited period of time with respect to certain nonprofit volunteer health clinics. **Status:** Referred to Ways & Means Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Finance Cmte, Passed Cmte by Substitute, Pending Rules Cmte

[HB 436, HIV and Syphilis Testing of Pregnant Women](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/436) (Rep. Valerie Clark-R)

Relating to control of venereal disease, so as to require that physicians and health care providers offer HIV and syphilis testing of pregnant women in their third trimester of pregnancy. **Status:** Referred to Health & Human Services, Passed Cmte, Pending Rules Cmte, House Withdrawn, House Recommitted, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Health Cmte, Passed Cmte by Substitute, Pending Rules Cmte

[HR 787, Diabetes Control Grant Program Advisory Board](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HR/787) (Rep. Pat Gardner-D)

A RESOLUTION encouraging Governor Nathan Deal to establish a Diabetes Control Grant Program Advisory Board and to fund the proposed grant programs outlined in the Diabetes Health and Improvement Act of 2010. **Status:** Referred to Health Cmte

[HR 808, Tax to Fund Autism Spectrum Disorder](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HR/808) (Rep. Richard Smith-R)

A Resolution proposing an amendment to the Constitution so as to provide that funds derived from an additional .2 percent increase in the general state sales and use tax shall be appropriated for the treatment of autism spectrum disorder. **Status:** Referred to Ways & Means Cmte

[SB 130, Bans Smoking in Vehicle with a Passenger Under 15](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/130) (Sen. Bruce Thompson-R)

Relating to general provisions relative to the uniform rules of the road, so as to provide that any person in control of a motor vehicle who smokes or permits another occupant to smoke when a person under the age of 15 is in the vehicle shall be guilty of a misdemeanor. **Status:** Referred to Health & Human Services Cmte. Passed Cmte, Pending Rules Cmte, Passed Senate, Sent to the House, Referred to Judiciary Non-Civil Cmte, Passed Cmte by Substitute, Pending Rules Cmte

[HR 805, CON House Study Cmte](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HR/805) (Rep. Wendell Willard-R)

A Resolution creating the House Study Committee on the Certificate of Need Program. **Status:** Referred to Health Cmte, Defeated in Cmte

[HR 828, Study Cmte for Indigent and Charity Health Care Services](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HR/828) (Rep. Penny Houston-R)

A Resolution creating the House Study Committee on the Provision of Indigent and Charity Health Care Services. **Status:** Referred to Health Cmte

[SB 114, Protocol Agreements Between Physicians and RNs](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/114) (Sen. Chuck Hufstetler-R)

Relating to delegation of certain medical acts to advanced practice registered nurses, so as to revise provisions relating to the number of advanced practice registered nurses a delegating physician can enter into a protocol agreement with at any one time. **Status:** Referred to Health & Human Services Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, Sent to House, Referred to Health Cmte, Passed Cmte, Pending Rules Cmte