**GPHA Weekly Legislative Report**

For the week ending April 3, 2015

By Scott Maxwell

The Georgia General Assembly has adjourned for the year after taking action on a number of concerns to public health professionals. Perhaps foremost for GPHA members, the [FY 2016 Budget](http://www.house.ga.gov/budget/Documents/2016_FiscalYear/FY_2016_Final_Bill_Conf_Cmte.pdf) (DPH starts on Page 158) contains $1.3 million in hold harmless funds for county health departments. But, the budget also incorporates quite a few features that should help healthcare for Georgians in general.

Appropriations Health Subcommittee Chairman Butch Parrish (Swainsboro-R), a former GPHA Legislator of the Year, enhanced through language or funding at least 10 different lines items to improve Georgia’s doctor per capita ratio – with an emphasis on attracting rural family practice physicians.

The budget also included money to remove 1,000 people from the waiting list for home and community services and added eight GBI agents to investigate cases of elderly abuse.

To help keep physicians from leaving the Medicaid program, the state will dedicate $71 million to replace lost federal funding for seven of the most utilized primary care and Ob/Gyn care codes. Three million dollars was budgeted for pilot projects recommended by the Rural Hospital Stabilization Committee, and $500,000 will be used to increase capacity and expand services offered by clinics in the Georgia Charity Care Network.

According to a two-time president of the Physical Therapy Association of Georgia, that group has been trying for 40 years to allow patients to have access to PT’s without a doctor’s referral. Now that the PT degree requires a doctorate level education, they finally passed a bill this year doing just that. If signed by the Governor, a PT will be able to treat a direct access patient for three weeks or eight visits before referring him/her to a physician.

There was no action taken on increasing the state sales tax on tobacco products. However, a general tax reform bill is in the works and the cigarette tax-increase coalition has been and will remain in close contact with the author. We understand that leadership has permitted Rep. John Carson (R-Marietta) to include a cigarette tax increase as an element of his overall product. The idea is to reduce the state’s income tax from 6% to 4%, but retain budget neutrality. A tobacco tax fits nicely into that scenario. The danger, as previously mentioned, is a “small” tobacco tax increase that does not dissuade potential and current smokers. We will continue to work with cancer, heart, lung, children’s and other organizations on this effort. Hopefully, we’ll realize success in less time than the physical therapists!

The Governor has 40 days in which to sign or veto legislation, or it becomes law without his signature. He may also veto individual line items in the budget. A bill that did not pass, but was not defeated, is generally returned to the committee that last vetted it.

**Here is an update on bills of interest to public health professionals that saw action the final week of the session.**

[HB 505, Licensure and Regulation of Physical Therapists](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/505) (Rep. Sharon Cooper-R)

Relating to physical therapists, so as to revise various provisions regarding the licensure and regulation of physical therapists and physical therapy assistants. **Status:** Referred to Health & Human Services Cmte, 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, Passed Senate by Substitute, Sent to House, House Agreed to Senate Substitute, On to the Governor.

[HB 512, Relating to Mental Health Administration](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/512) (Rep. Rick Jasperse-R)

Relating to mental health, so as to change certain terminology and provisions relating to the governing and regulation of mental health and to the administration of mental health as it relates to regional and local administration and services. **Status:** Referred to Human Relations & Aging Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Health & Human Services Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, On to the Governor.

[SB 126, Ability to Prescribe Auto-injectable Epinephrine](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/126) (Sen. Chuck Hufstetler-R)

Relating to physicians, physician assistants, and others, so as to provide for emergency public access stations to allow a lay rescuer to consult with a medical professional to administer or make available auto-injectable epinephrine under certain circumstances. **Status:**  Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed Senate by Substitute, Sent to the House, Referred to Health Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Senate Agreed to House Substitute, On to the Governor.

[SB 131, Certification Rather than Licensing Stabilization Unit](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/131) (Sen. Mike Dugan-R)

Relating to powers and duties of the Department of Behavioral Health and Developmental Disabilities, so as to provide for the certification, rather than licensing, of crisis stabilization units. **Status:** Referred to Health & Human Services Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Senate Agreed to House Substitute, On to the Governor.

[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, Passed Senate by Substitute, House Agreed to Senate Substitute, On to the Governor.

[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 as Amended, Sent to House for Agree – Disagree.

**Note:** SB 115, Physician Assistant’s authorization to prescribe level II substances by Senator Hufstetler was added to HB 362 on the Senate Floor.

[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, Senate Engrossed, Passed Senate by Substitute, House Agreed to Senate Substitute, On to the Governor.

[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, Senate Passed by Substitute, House Agreed to Senate Substitute, On to the Governor.

[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. Will be returned to the House Non-civil Judiciary Committee for consideration next year.

[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 as Amended, Sent to House for Agree – Disagree.

**Note:** SB 115, Physician Assistant’s authorization to prescribe level II substances by Senator Hufstetler was added to HB 362 on the Senate Floor.

[HB 394, Relating to Nursing](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/394) (Rep. Sharon Cooper-R)

Relating to nurses, so as to revise various provisions relating to the licensure of registered professional nurses and licensed practical nurses; to revise provisions relating to the powers and duties of the Georgia Board of Nursing; to provide for acceptance of nursing education programs located outside the United States; to provide for a time period for applicants who do not pass the licensing examination. **Status:** Referred to Health & Human Services Cmte, Passed Cmte, Pending Rules Cmte, Passed House, Sent to the Senate, Referred to Health & Human Services Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, On to the Governor.

[HB 409, Insurance Reimbursements for Treatment of Burns](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/409) (Rep. Darlene Taylor-R)

Relating to insurance general provisions, so as to provide reimbursement for the treatment of burns for skin substitutes utilizing cadaver derived skin tissue or nonhuman xenographic derived skin tissue. **Status:** Referred to Insurance Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Insurance & Labor Cmte, Passed Cmte, Pending Rules Cmte, Passed Senate, On to the Governor.

[HB 416, Requires Certain Identification by Health Care Practitioners](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/416) (Rep. Carl Rogers-R)

Relating to general provisions relative to professions and businesses, so as to provide for certain identification by health care practitioners to patients with regard to their license; to require that advertisements identify a health care practitioner's license. **Status:** Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to the Senate, Referred to Health Cmte, Passed Cmte, Pending Rules Cmte, Senate Passed, On to the Governor.

[HB 504, Vaccination of Meningococcal Disease of College Students](http://www.legis.ga.gov/legislation/en-US/Display/20152016/HB/504) (Rep. Sharon Cooper-R)

Relating to meningococcal disease vaccinations and disclosures, so as to revise provisions regarding vaccination against meningococcal disease of college students. **Status:** Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Sent to Senate, Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed Senate by Senate Substitute, House Agreed to Senate Substitute, On to the Governor.

[SB 109, General Provisions Relative to Health](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/109) (Sen. Nan Orrock-D)

Relating to general provisions relative to health, so as to clarify the use and effectiveness of Physician Orders for Life-Sustaining Treatment forms; to provide alternate terminology for do not resuscitate orders. **Status:** Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed Senate by Substitute, Sent to the House, Referred to Health Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Passed House by Substitute, Senate Agreed to House Substitute, On to the Governor.

[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. Will be returned to House HHS Committee for consideration next year.

[SB 115, P.A. Authority to Prescribe Schedule II](http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/115) (Sen. Chuck Hufstetler-R)

Relating to delegation of authority to physician assistants, so as to authorize a physician to delegate to a physician assistant the authority to prescribe Schedule II controlled substances; to provide for additional continuing education requirements regarding Schedule II controlled substances. **Status:** Referred to Health & Human Services Cmte, Passed Cmte by Substitute, Pending Rules Cmte, Dead for the Session.

**Note:** SB 115, Physician Assistant’s authorization to prescribe level II substances by Senator Hufstetler was added to HB 362 on the Senate Floor, Sent to House, Speaker Never Called for a Vote.