



**Georgia Bio Legislative Watch
Week: March 6, 2015
Nelson Mullins Riley & Scarborough LLP**

It was a long, hectic week under the Gold Dome, as lobbyists and legislators worked tirelessly to push their respective legislation through the process. Next Friday, March 13th marks the 30th day of the legislative session, or Crossover Day. If a piece of legislation does not make it through the chamber of origination, the bill will die and not move forward through the legislative process. Here are a few highlights from another busy week of the 2015 legislative session:

The following bills have also moved through the House or the Senate and are deemed 'safe' after Crossover Day:

HB 170: The House passed the House Rules substitute to The Transportation Funding Act of 2015, 123 to 46.

HB 394: authorizes the Georgia Board of Nursing to investigate disciplinary orders issued by the former Georgia Board of Examiners of Licensed Practical Nurses. Additionally, this bill allows those individuals who have graduated from a nursing education program located outside of the United States to be eligible for licensure as a registered professional nurse. Passed, 154-0.

HB 362: Allows school systems to stock asthma medication. Any school employee trained in recognizing symptoms of respiratory distress may provide the medication or administer it to a student. This bill also allows schools to purchase asthma medication directly from manufacturers and allows physicians to prescribe the medication to schools. Passed, 157-0.

The following bills have passed out of Rules and are waiting to be taken up on the Floor:

HB 195: Rep. Sharon Cooper (R-Marietta) offered to sponsor our bill, which provides for substitutions of interchangeable biological products by pharmacists. There are notice provisions so that the pharmacist must notify the patient's physician within 48 hours (excluding holidays and weekends) of making this change. HB 195 passed by Committee Substitute by a vote of 165 to 0.

SB 89: Sponsored by Sen. John Albers (R-Roswell), seeks to enact the "Digital Classroom Act" and also came to the Senate Floor in the form of a Committee Substitute. It authorizes and directs the State School Board to inaugurate and administer a system of free instructional materials and content for the public schools. Further, it requires that all instructional materials and content and any computer hardware, software, and technical equipment necessary to support such digital materials and content purchased by local units of administration with state Quality Basic Education Program funds or any other means of acquisition may remain the property of the local unit purchasing or acquiring them. Under current law, hardback textbooks are required to remain property of the local unit of administration that has purchased such. This legislation passed 45-8.

HB 504: by Rep. Sharon Cooper (R-Marietta), passed by Committee Substitute with a vote of 168 to 1. This initiative is an expansion of the permission of who may administer vaccines. In this bill, it allows pharmacists under protocol agreements with physicians the authority to administer

influenza, pneumococcal, shingles, and meningococcal vaccines under certain conditions. The legislation also addresses the requirements of individuals 18 years of age and older who are living in college campus housing or fraternity or sorority housing so as to require that they have the meningococcal vaccine within five years of living in campus housing.

Bill Movement in Committees:

HB 34: The "Right to Try" legislation by Rep. Mike Dudgeon (R-Johns Creek) passed out of the House Health and Human Services Committee. It permits individuals with terminal illnesses the ability to access drug trials and treatments such as investigational drugs and biological products. A number of other states have adopted this legislation.

SB 51: The Senate version of our biosimilars legislation will be heard in the House Health and Human Services Committee on Monday at 3:00 in room 606 of the Coverdell Legislative Office Building.

HB 416: This bill is known as the Patient Information and Awareness Act and requires healthcare practitioners to wear name badges with identifying qualifications – such as if they are registered nurses, physician's assistants, lab technicians, physicians, etc. There are some exceptions where these badges are not required to be worn including in the operating rooms, mental health settings, or by a health administrator who does not have direct contact with patients. The legislation passed out of the House Health and Human Services Committee by way of substitute.

HB 436: This legislation by Rep. Valerie Clark (R-Lawrenceville) was back before the House Health and Human Services Committee after drafting errors were found once the legislation reached the House Rules Committee. It creates the Georgia HIV/Syphilis Pregnancy Screening Act of 2015 and requires that physicians and health care providers offer HIV and syphilis testing of pregnant women in their third trimester of pregnancy. The Committee made the slight change in the wording about the test for these two diseases and the Committee then passed the proposal by substitute with the amendment.

HB 504: This legislation is by Rep. Sharon Cooper (R-Marietta), cleared the House Health and Human Services Committee with a new Substitute. Her legislation now incorporates a colleague's, Rep. Joe Wilkinson (R-Atlanta), bill (HB 105) updating the State's law on requiring meningococcal vaccines to be taken by college students. This vaccine must be within the previous five years and proof must be shown if the student, 18 years or older, is living on campus housing or in a fraternity or sorority house. The underlying legislation is Rep. Cooper's vaccine bill which permits pharmacists to give vaccines for influenza, meningococcal, shingles and pneumococcal disease. It requires that a protocol be present; continuing education and technique instruction are required of the pharmacist; the pharmacist must take a complete history of the patient; the patient must sign a waiver if a live-vaccine is to be given; a card is required to be given to the patient, indicating when the person was vaccinated, the type of vaccine, amount of vaccine and injection site; and the vaccine is to be given to the patient in a private place or behind a screen in order to be HIPAA compliant.

SB 185: Sen. Lindsey Tippins (R-Marietta) authored this legislation, which allows the Board of Regents of the University System of Georgia to develop and administer a four-year cannabidiol research program at Georgia Regents University, in an effort to provide the scientific community an understanding of potential treatments for people less than 18 years of age. This legislation would adhere to regulatory processes required by the federal Food, Drug, and Cosmetic Act. The program carried out by the Board of Regents shall permit persons under the age of 18, who suffer from medication-resistant epilepsies, to voluntarily enroll if they have been a resident of Georgia either since birth or for a 24-month period preceding entry into the program. Additionally, the Board of Regents may act through a university or a qualified non-profit research institute, as well as collaborate with a designated supplier of cannabidiol. Section 31-50-7 extends immunity from state prosecution for possession, distribution, sale, purchase, administration, and any other use of cannabidiol for the purposes outlined in the legislation. The Georgia Pharmacy Association supports the legalization of cannabidiol for medical purposes and thinks that it should be dispensed as all other medications are dispensed. However, they are wary of the complications that federal regulations could potentially create. The bill was not voted on in the Senate Health and Human Services Committee but a number of amendments were proposed.

The General Assembly will reconvene on Monday, March 9th for legislative day 28. They will also be in session on Wednesday and Friday of next week, taking Tuesday and Thursday to hold committee meetings. Again, Crossover Day will take place on Friday, March 13th.

Bill	Committees	Status	Analysis
<u>HB1</u>	HC: Judiciary Non-Civil	Jan/28/2015 - House Second Readers	<u>Rep. Allen Peake (R – Macon) proposes an amendment to O.C.G.A. Chapter 34-43 to encourage the use of medical marijuana for specified treatment conditions, his “Haleigh’s Hope Act” for 2015. The discussion around this proposal has been to add epilepsy to the set of conditions, such as glaucoma and cancer, for which medical marijuana in liquid, pill or injection form may be used. The initial version of the bill is stated in the form of legislative intent to permit use of cannabis of controlled strength to qualified patients. The bill prohibits recreational use of cannabis. The bill would provide immunity to individuals who have legally obtained the medicine by decriminalizing possession of cannabis oil that contains less than 5% THC (3% for individuals under the age of 18), and holds a minimum of 1:1 CBD-THC ratio. Additionally, patients obtaining this oil would have to register with the Department of Public Health and obtain a medical marijuana registration card; and that resources would be allocated through the budget to allow GBI to test the product should law enforcement officers wish to do so.</u>
<u>HB8</u>	HC:	Jan/14/2015 - House Second Readers	<u>HB 8 – Rep. Tyrone Brooks (D-Atlanta) proposed this initiative to amend O.C.G.A. § 34-4-3 to provide for "substantive and</u>

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			<p><u>comprehensive reform" of the provisions regarding the minimum wage law. Among the proposals would include the requirement that employers pay all covered employees a minimum wage of not less than \$6.20 per hour for each hour worked (current law is \$5.15 per hour). There is also a "tip credit" for employers of employees who meet the eligibility requirements under the federal Fair Labor Standards Act, 29 U.S.C. Section 203(t), of up to 50 percent of the minimum wage. It also has exceptions where this chapter applies, like current law, and includes one for "any individual who is employed by a nonprofit child-caring institution or long-term care facility serving children or mentally disabled adults who are enrolled in such institution and reside in residential facilities of the institution, if such employee resides in such facilities, receives without cost board and lodging from such institution, and is compensated on a cash basis at an annual rate of not less than \$15,000.00 (current law places this amount at \$10,000.00).</u></p>
<p><u>HB9</u></p>	<p>HC:</p>	<p>Jan/14/2015 - House Second Readers</p>	<p><u>HB 9 – Rep. Tyrone Brooks (D-Atlanta) authored this initiative adding a new Code Section at O.C.G.A. § 34-1-8, regarding labor and industrial relations, so that it will be unlawful for any employer on an application for employment to question an applicant inquiring whether he or she has ever been arrested for, charged with, or convicted of any crime (except for law enforcement agency positions or other positions related to law enforcement agencies). Further, there are some additional exceptions including whether a federal or state law or regulation creates a mandatory or presumptive disqualification from employment based upon a person's conviction of one or more specified criminal offenses then the employer may include such a question or otherwise inquire if the applicant has been convicted of any such offenses; if a standard fidelity bond or an equivalent bond is required for the position and that person's conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such bond then the employer may inquire; an employer may also ask if an applicant for information about his or her criminal convictions at the first interview or thereafter, in accordance with all applicable State and federal laws; and an employer may seek to obtain the criminal history records of any applicant per O.C.G.A. § 35-3-34 after the first interview of such applicant is conducted.</u></p>
<p><u>HB10</u></p>	<p>HC:</p>	<p>Jan/15/2015 - House Hopper</p>	<p><u>Rep. Rahn Mayo (D-Decatur) offered this bill, which proposes to revise O.C.G.A § 40-6-241 relating to the exercise of due care by</u></p>

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			<p><u>drivers while operating a motor vehicle by adding subsection (a) to provide that only hands-free telephone calls shall be conducted by a driver of a motor vehicle unless (d) a person is calling during an emergency situation.</u></p> <p>-</p>
<u>HB34</u>	HC:	Jan/15/2015 - House Hopper	<p><u>Rep. Mike Dudgeon (R-Johns Creek) authored this proposal which is titled the "Georgia Right to Try Act." It would amend Title 31 to add a new chapter (50) addressing investigational drugs, biological products, and devices for patients with advanced illnesses should be made available despite prior approval from the FDA. Written informed consent shall be required and should include a description of the product and treatments for the advanced illness which the patient suffers, as well as a description of the potential best and worst outcomes of using the investigational drug, biological product, or device and a realistic description of the most likely outcome, among others. Additionally, the Georgia Composite Medical Board shall not revoke, suspend, sanction, fail to renew, or take any action against a physician's license solely based on such physician's recommendation, prescription, or treatment of an eligible patient with an investigational drug, biological product, or device (O.C.G.A. § 31-50-8)</u></p> <p>-</p>
<u>HB47</u>	HC:	Jan/14/2015 - House First Readers	<p><u>Rep. Sharon Cooper (R-Marietta) authored this proposal in O.C.G.A. § 26-4-80(f) relating to the dispensing of prescription drugs. It would authorize certain refills of topical ophthalmic products to prevent "unintended interruptions in drug therapy." Further, it states:</u></p> <ol style="list-style-type: none"> <li data-bbox="787 1438 1502 1606">1. <u>A pharmacist shall be authorized, without obtaining subsequent authorization from the practitioner or obtaining a new prescription from the practitioner, to permit refills at 70 percent of the predicted days of use; and</u> <li data-bbox="787 1606 1502 1711">2. <u>A physician shall be permitted to authorize refills earlier than 70 percent of the predicted days of use for patients who have continual difficulty with inadvertent wastage.</u> <p><u>The change, though, would "apply to refills purchased through retail pharmacies and mail order sources."</u></p>

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<u>HB53</u>	HC:	Jan/14/2015 - House First Readers	<u>Rep. Keisha Waites (D-Atlanta) has proposed changes to O.C.G.A. § 31-22-9.2 regarding a person's consent to the provision of medical or surgical care by a healthcare provider and the consent that such provider can perform an HIV test. It would also require that unless exempted, a person, at his or her own election, "may withdraw consent and refuse an HIV test; provided, however, that such withdrawal of consent and refusal is made at the time of each instance where any body fluid that could be used for an HIV test are withdrawn from such person's body and, provided further, that such health care provider shall render counseling to such person at the time of such person's withdrawal of consent and refusal." It does leave in place that such provisions will not apply to emergency or life-threatening situations or if the person is required to submit to an HIV test pursuant to O.C.G.A. § 15-11-603, O.C.G.A. § 17-10-15, O.C.G.A. § 31-17-4.2, O.C.G.A. § 31-17A-3, O.C.G.A. § 42-5-52.1 or O.C.G.A. § 42-9-42.1.</u>
<u>HB92</u>	HC: Industry and Labor	Jan/28/2015 - House Second Readers	<u>Rep. Tommy Benton (R – Jefferson) has proposed allowing employees, at O.C.G.A. § 34-1-8, to use sick leave for the care of immediate family members. An immediate family member is defined as an employee's child, spouse, grandchild, grandparent, or parent or any dependents as shown in the employee's most recent tax return. Sick leave time must be earned and any employee who uses sick leave shall comply with the terms of the employer's sick leave policy.</u>
<u>HB105</u>	HC: Health & Human Services	Jan/29/2015 - House Second Readers	<u>Rep. Joe Wilkinson (R-Atlanta) introduced this proposed change in O.C.G.A. § 31-12-3.2(b) concerning meningococcal disease and those vaccinations and disclosures. It would revise what is required to be done with respect to college students. The proposal would require that any vaccination and disclosure requirements follow recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and would further require that any newly admitted students who are 18 and older residing in campus housing be required to sign a document provided by the postsecondary educational institution stating that he or she has received a vaccination against meningococcal disease not more than five years prior to admittance to that institution or has reviewed information provided about the disease.</u>
<u>HB106</u>	HC: Transportation	Jan/29/2015 - House Second Readers	<u>Rep. Jay Roberts (R-Ocilla) offered this Title 32 proposal concerning laws governing Georgia's highways, bridges and</u>

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			<p><u>ferries. It would specifically address the State's highway system and those requirements – striking in O.C.G.A. § 32-4-20(5), which is a current requirement to be considered, that a public road "serves as part of a programmed road improvement project plan in which the department will utilize state or federal funds for the acquisition of rights of way." Other revisions include addressing O.C.G.A. § 32-5-2, relating to the appropriation of funds to the Department of Transportation so that it would now read: "All federal funds received by the state treasurer under Code Section 32-5-1 are continually appropriated to the department for the purpose specified in the grants of such funds except as such funds may be directed by the federal government to the State Road and Tollway Authority."</u></p>
<u>HB117</u>	HC: Industry and Labor	Jan/29/2015 - House Second Readers	<p><u>Rep. Mark Hamilton (R-Cumming) offered this initiative relating to "employment security." It adds language to current law at O.C.G.A. § 34-8-43 concerning the most recent employer (the last employer for whom an individual worked in claiming benefits with years that begin on or after July 1, 2015). It further proposes deleting and adding new language at O.C.G.A. § 34-8-157 concerning the charging of regular benefits paid against experience rating account.</u></p>
<u>HB119</u>	HC: Judiciary	Jan/29/2015 - House Second Readers	<p><u>Rep. Bert Reeves (R-Marietta) introduced this amendment to O.C.G.A. § 24-12-21 regarding the disclosure of AIDS confidential information in Georgia's Evidence Code. It would add that AIDS confidential information shall be disclosed as medical information, per O.C.G.A. § 24-12-1, or pursuant to any other law which either authorizes or requires such disclosure of medical information if the person identified in the information: "is suspected by being mentally ill and is the subject of an order issued pursuant to Code Section 37-3-41 when the court issuing such order finds in an in camera hearing by clear and convincing evidence a compelling need for the information which cannot be accommodated by other means. In assessing compelling need, the court shall weigh the public health, safety, or welfare needs or any other public or private need for the disclosure against the privacy interest of the person identified by the information and the public interest which may be disserved by disclosures which may deter voluntary HIV tests. If the court determines that disclosure of that information is authorized under this subparagraph, the court shall order that disclosure and impose appropriate safeguards against any unauthorized disclosure. The records of that hearing otherwise shall be under seal."</u></p>

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<u>HB138</u>	HC: Industry and Labor	Jan/29/2015 - House First Readers	<u>Rep. Dee Dawkins-Haigler (D-Lithonia) introduced this proposal to create the "Social Media Privacy Protection Act" by adding language to create a new Code Section at O.C.G.A. § 34-1-8. It would prohibit employers from requesting of employees or prospective employees their username, password, or other means of accessing an account or service for the purpose of accessing personal social media through an electronic communications device. There are some exceptions outlined and would protect certain employer's rights (e.g., when relevant to an investigation of allegations of an employee's misconduct or violations of laws/regulations or when the employer's computer or information systems were used).</u>
<u>HB141</u>	HC: Industry and Labor	Jan/29/2015 - House First Readers	<u>Rep. Virgil Fludd (D-Tyrone) introduced this legislation which would create a new Article II in Chapter 8 of Title 34, relating to employment security. The legislation intends to help individuals who are trying to establish a new business or become self-employed. It would allow the Commissioner of Labor to establish a self-employment assistance program and establish the maximum allowable amount of weekly self-employment assistance. Further, it outlines the determination of eligibility and amount which could be paid (it would allow the weekly amount of self-employment assistance allowance payable to an individual to be equal to the weekly benefit amount for regular benefits under O.C.G.A. § 34-8-193).</u>
<u>HB145</u>	HC: Agriculture & Consumer Affairs	Jan/29/2015 - House First Readers	<u>Rep. James Beverly (D- Macon) authored this legislation referred to as the "Georgia Jobs Matter Act" to amend O.C.G.A. § 20-2-500 relating to promulgation of rules and regulations by the State Board of Education for contracts and purchases over \$100. The bill adds language to require all requests for competitive bids issued by local schools or school districts, local government, any state, department, agency, or commission, and any state or local authority to be accompanied by an employment impact statement, which would include (A) the number of jobs expected to be created or retained in the state that might otherwise be lost if the contract is awarded to another contractor; (B) The number of jobs expected to be created or retained in the state that might otherwise be lost if the contract is awarded to another contractor by the subcontractors expected to be used by the contractor in the performance of the contract; and (C) A guarantee from the contractor that, as a condition of such contract, the jobs created or retained in this state shall not be moved outside of this state</u>

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			<p><u>during the duration of the contract. Additionally, O.C.G.A. § 50-5-62 shall be revised to require that the Department of Administrative Services, in awarding all contracts, shall give preference to (1) sellers of products produced, grown, or manufactured in Georgia; (2) sellers who maintain a business located in Georgia; (3) providers of services who are located in the state to promise as a condition of any such contract to continue to remain in the state for the duration of the contract; (4) and any business that promises to employ residents of Georgia for the purposes of satisfying the terms of the contract to promise to continue such employment throughout the duration of the contract.</u></p>
<u>HB155</u>	HC: Health & Human Services	Jan/29/2015 - House First Readers	<p><u>Rep. Nikki T. Randall (D – Macon) authored this legislation to revise subsection (b) of O.C.G.A. § 31-12-3.1 by adding two new subsections. The first, (a.1), would require any person and every pharmacy, agency, or business employing a person who administers vaccines licensed by the FDA to register with the vaccination registry. Failure to register may result in prohibition of a person, pharmacy, agency or business to administer vaccines.</u></p>
<u>HB195</u>	HC: Health & Human Services	Feb/04/2015 - House Second Readers	<p><u>Rep. Sharon Cooper (R–Marietta) brings the House version of the biosimilar drug substitution bill in O.C.G.A. § 26-4-5. Similar to SB 51, this version defines biological products and interchangeable biological product and permits the substitution by a dispensing pharmacist of the interchangeable product for the biological one unless a physician instructs that no substitution be made. The bill requires labeling the substituted product as such and notification to the prescribing physician that the substitution has occurred. Unlike the Senate bill, this version requires this notice to occur within 48 hours of the dispensing of the product. The bio similar drug with the lowest retail price is required to be substituted.</u></p>
<u>HB211</u>	HC: Judiciary Non-Civil	Feb/04/2015 - House First Readers	<p><u>Rep. Bruce Broadrick (R-Dalton) proposes to amend Chapter 13 of Title 16 relating to controlled substances. This bill changes provisions relating to Schedules I, III, and IV controlled substances. This is the dangerous drug update. Additionally, under O.C.G.A. § 16-13-73, language has been amended to require the name of the 'practitioner' instead of 'physician' to appear on the container of the prescribing drug from the pharmacy.</u></p>

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<u>HB237</u>	HC:	Feb/04/2015 - House Hopper	<u>Rep. Bruce Williamson (R-Monroe) seeks to amend O.C.G.A. §48-7-40.30 and the imposition, rate and computation of and exemptions from State income tax so as to extend Georgia's angel investor tax credit. Current law permits the qualified investments through 2015 and this change would allow those to be made in years 2016, 2017, 2018, 2019 and 2020 with a tax credit of 35 percent of the amount invested against the tax imposed. There are limits posed for qualified investors or pass-through entities for such investments in the proposal (not to exceed \$5 million in each such year).</u>
<u>HB285</u>	HC: Ways & Means	Feb/12/2015 - House Second Readers	<u>Rep. Ron Stephens (R-Savannah) amends O.C.G.A. § 48-7-40.26 relating to income tax credit for film, video, or digital production in Georgia. Paragraph (5) is amended by striking language pertaining to postproduction expenditures for footage shot outside of the state. Under (8)(c), the tax credit shall be allowed if the base investment in this state equals or exceeds \$250,000 for qualified production activities. This number has been reduced from \$500,000.</u>
<u>HB287</u>	HC: Judiciary	Feb/12/2015 - House Second Readers	<u>Rep. Tom Kirby (R-Loganville) has authored this legislation to enact the "Ethical Treatment of Human Embryos Act." By amending Chapter 7 of Title 19 to add new article 19-7-60 to define a variety of terms, including 'gamete', 'human animal hybrid,' and 'human embryo.' Additionally, under new article 19-7-61, it shall be unlawful for any person or entity to intentionally or knowingly create or attempt an in vitro human embryo or by any means other than fertilization of a human egg by a human sperm. It would be unlawful to create or attempt to create a human-animal hybrid.</u>
<u>HB407</u>	HC: Health & Human Services	Feb/23/2015 - House Second Readers	<u>Rep. Ronnie Mabra (D-Fayetteville) addresses current law on pain management clinics and adds a new Code Section at O.C.G.A. § 43-34-291. When a Schedule II or III controlled substance is prescribed for a patient for more than 90 days for treating chronic pain (non-terminal conditions), then the pain management clinic is to require the patient to complete Opioid Education and Pro-Active Addiction Counseling at least once every three months during the course of treatment. If the patient is a minor, then the parent or legal guardian is to undergo such counseling. This counseling shall be staffed and conducted by licensed professional counselors, certified addiction counselors, or both. The counseling can be provided by third parties for a fee of not more than \$100.</u>

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<u>HB429</u>	HC: Insurance	Feb/24/2015 - House Second Readers	<u>Rep. Mickey Stephens (D-Savannah) proposes to amend Chapter 24 of Title 3, to provide that no health benefit plan, in O.C.G.A. § 33-24.59.18, shall restrict coverage for treatment of a terminal condition, which is defined as a disease, illness, or health condition that a physician has diagnosed as expected to result in death in 24 months or less, when such treatment has been prescribed by a physician as 'medically appropriate' and such treatment has been agreed to by an insured patient or someone who has been delegated authority to consent on behalf of the insured patient. If a health benefit plan refuses to pay for prescribed treatment, they would be in violation of this code section.</u>
<u>HB439</u>	HC: Insurance	Feb/24/2015 - House Second Readers	<u>Rep. Jason Shaw (R-Lakeland) proposes a new Code Section at O.C.G.A. § 33-1-23 to establish qualified low-income community investment and how certain entities may earn credit against the State premium tax liability. It also provides for certification of qualified equity investments and for recapture of credit claimed under certain circumstances. It would be known as the "Georgia New Markets Jobs Act."</u>
<u>HB440</u>	HC: Ways & Means	Feb/24/2015 - House Second Readers	<u>Rep. Mike Glanton (D-Jonesboro) addresses State income taxation and provides an exemption for corporate donors to student scholarship organizations and creates a new income tax exemption for student scholarship funding. It allows for corporate donations to student scholarship organizations. This Act will be known as the "Business and Education Succeeding Together (BEST) Act" and would be added at O.C.G.A. § 48-7-29.16A. It would further add a new Article 2 in Chapter 2A of Title 20 (in part, this is where such student scholarship organization is required to transfer any funds it receives from a BEST student scholarship donor designated for scholarships or tuition grants to a BEST qualified school or program on behalf of a BEST eligible student within 24 months or receipt of such revenue).</u>
<u>HB562</u>	HC:	Mar/05/2015 - House Hopper	<u>Rep. Lee Hawkins (R-Gainesville) authored this bill to amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated to provide for the certification of polysomnographic technologists and shall be known as the "Polysomnography Practice Act." Polysomnography is defined as individuals who treat patients with sleep and wake disorders. This legislation also creates an</u>

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			<u>advisory committee to oversee these individuals and their practice.</u>
<u>HR121</u>	HC:	Jan/28/2015 - House Read and Adopted	<u>Rep. Katie Dempsey (R-Rome) authored this Resolution recognizing and commending the American Heart Association's Go Red for Women movement and recognizing February 6, 2015 as National Wear Red Day.</u>
<u>SB15</u>	SC:	Jan/12/2015 - Senate Hopper	<u>SB 15 – Sen. Donzella James (D-Atlanta) offered this change to O.C.G.A. § 34-4-3 to raise the minimum wage for covered employees from not less than \$5.15 to \$10.10 per hour for each hour worked and to provide that the annual minimum wage increase to match the rising cost of living. In subsection (b), it provides employers of employees who meet the eligibility requirements for the "tip credit" under the federal Fair Labor Standards Act, 29 U.S.C. Section 2023(t), to credit tips towards satisfaction of up to 50 percent of the minimum wage.</u>
<u>SB19</u>	SC:	Jan/12/2015 - Senate Hopper	<u>SB 19 – Sen. Nan Orrock (D-Atlanta) authored this initiative amending the definition of employment applicable to the "Employment Security Law" found at O.C.G.A. § 34-8-35(f). It would allow that services performed by an individual for wages shall be deemed to be employment "subject to this chapter unless and until it is shown that such individual has been and will continue to be free from control or direction over the performance of such services both under the individual's contract of services and in fact, as demonstrated by evidence timely submitted to the department upon which department determines" various factors of that individual's performance (e.g. is not prohibited from working for other companies or holding other employment contemporaneously; is not prescribed minimum hours to work, or, in the case of sales, does not have a minimum number of orders to be obtained; receives only minimal instructions and no direct oversight or supervision regarding services to be performed; etc.).</u>
<u>SB35</u>	SC: Judiciary Non-Civil	Jan/26/2015 - Senate Read and Referred	<u>This bill, proposed by Sen. Donzella James (D-Atlanta), provides that leaving certain children in cars while unsupervised will be constituted as cruelty to children in the third degree. The child must be under the age of 6 and not be supervised by anyone over the age of 13.</u>

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<u>SB38</u>	SC: Appropriations	Jan/26/2015 - Senate Read and Referred	<u>This bill, proposed by Sen. Vincent Fort (D-Atlanta), authorizes appropriations with the purpose of obtaining federal funding for medical assistance payments to providers of Medicaid expansion under the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010, so long as the federal government provides a minimum of 90 percent of the funding.</u>
<u>SB39</u>	SC:	Jan/15/2015 - Senate Hopper	<u>Click here to enter your analysis.</u>
<u>SB40</u>	SC: Government Oversight	Jan/26/2015 - Senate Read and Referred	<u>This bill repeals the provision that prohibits the use of money or assets of the State of Georgia to advocate or intend to influence Georgia citizens to support the voluntary expansion by the state of eligibility for medical assistance in furtherance of the federal Patient Protection and Affordable Care Act.</u>
<u>SB42</u>	SC: Insurance and Labor	Jan/26/2015 - Senate Read and Referred	<u>This bill, proposed by Sen. Gloria Butler (D-Stone Mountain) provides that leaving an employer due to family violence shall establish good cause in connection with a claim for unemployment benefits. There must be reasonable documentation demonstrating that the employee is receiving services from a family violence shelter.</u>
<u>SB43</u>	SC: Insurance and Labor	Jan/26/2015 - Senate Read and Referred	<u>Proposed by Sen. Donzella James (D-Atlanta), this would now require employers to provide reasonable unpaid break time each day for an employee who needs to express breast milk for an infant child. The employer must make reasonable efforts to provide an appropriate location that is shielded from view and free from intrusion and must include access to an electrical outlet.</u>
<u>SB51</u>	SC: Health and Human Services	Jan/26/2015 - Senate Read and Referred	<u>Sen. Dean Burke (R – Bainbridge) has proposed to amend O.C.G.A. Chapter 4 of Title 26 to define “biological products” and “interchangeable biological products” in a new O.C.G.A. ? 26-4-5. These terms flow from approved products from the United States Food and Drug Administration and the goal is to encourage prescription of such biological medicines and then permit substitution of bio similar meds for the brand name, patented “biological products” approved by the FDA. The bill adds these products and their interchangeable bio similar ones to the substitution permissions in O.C.G.A. 26-4-81, tracking the language for the substitution of generic drugs for brand name ones. It requires that a dispensing pharmacist notify the</u>

Bill	Committees	Status	Analysis
			<u>prescribing physician of any substitution in a reasonable time and by various electronic, fax, or telephonic means, unless the substitution is for a refill or there is no approved bio similar product. The bill permits a prescribing physician or patient to instruct the pharmacist that substitution is not permitted on a scrip and this limitation may be done on a form prescription pad by a physician. If a substitution is made, it must be shown on the label for the bio similar product.</u>
<u>SB52</u>	SC: Finance	Jan/27/2015 - Senate Read and Referred	<u>Sen. Vincent Fort (D-Atlanta) proposed this initiative to amend O.C.G.A. § 50-18-72, clarifying tax credits and exemptions which are subject to public disclosure. Specifically, his language states that records relating to tax credits or tax exemptions granted to individuals or businesses under Georgia law would not be subject to disclosure – when it relates to tax matters or tax information under State or federal law. However, the documents maintained by the Department of Economic Development relating to an economic development project, until it is secured by binding commitment, requires that such be disclosed upon proper request – after a binding commitment has been secured or the project has been terminated. Sen. Fort added, though, that document subject to disclosure under paragraph (46) of O.C.G.A. § 50-18-72(a) would include all documents relating to tax credits or tax exemptions granted to individuals or businesses under State law.</u>
<u>SB53</u>	SC: Health and Human Services	Jan/27/2015 - Senate Read and Referred	<u>Sen. Greg Kirk (R-Americus) offered this proposal to remove the sunset provision included in Act Number 546 (SB 65 by Sen. Renee Unterman (R-Buford)) passed in 2014. That legislation, as passed last year and signed into law, permitted licensed professional counselors to perform emergency examinations of persons who are mentally ill or alcoholic or drug dependent in O.C.G.A. § 37-3-41 and O.C.G.A. § 37-7-41(d) but that such permission was only granted through March 15, 2015 when the Act would be repealed. This legislation would extend that sunset from March 15, 2015 to June 30, 2018.</u>
<u>SB66</u>	SC: Health and Human Services	Feb/02/2015 - Senate Read and Referred	<u>Sen. Lester Jackson (D-Savannah) authored a proposed new Chapter 11 in Title 30 to create the Governor's Task Force on Blind and Visually Impaired Persons. It would be a seven-member Task Force that would investigate how State services and initiatives can be developed or improved for blind and visually impaired persons (such as their mobility and access, education, etc.). The Task Force would be required to submit suggestions for legislation on or before November 1 annually.</u>

Bill	Committees	Status	Analysis
<u>SB74</u>	SC: Finance	Feb/02/2015 - Senate Read and Referred	<u>Sen. Judson Hill (R-Marietta) has proposed to add a new Code Section to Article 1 of Chapter 8 of Title 31, relating to hospital care for the indigent. O.C.G.A. § 31-8-9.1 is added to this bill to (a) define 'charity health care organization' to mean a nonprofit corporation supporting ten or more charity health care clinics providing health care services to the uninsured and qualified as exempt from federal income taxation; and (b) have the department approve and maintain a list of charity health care organizations eligible for the purposes of the charity health care tax credit. O.C.G.A. § 48-7-29.20 is also added under this legislation, relating to imposition, rate, and computation of income taxes and exemptions.</u>
<u>SB115</u>	SC: Health and Human Services	Feb/17/2015 - Senate Read and Referred	<u>Sen. Chuck Hufstetler (R-Rome) changes O.C.G.A. § 43-34-103(c.1)(1)(A), relating to the delegation of authority to physician assistants (PA(s)) by physicians. It authorizes a physician to delegate to a physician assistant the authority to prescribe Schedule II controlled substances, outlining limitations and conditions for such authority. It limits to a 30-day supply of the drug; permits the Board to establish requirements and limitations on the delegation of authority to a PA (for pediatric patients; palliative care patients; oncology patients; patients with acute conditions; and patients with chronic conditions); requires that only such delegation by a physician to a PA can be done if in that scope of practice by the physician; and requires the supervising physician to ensure the PA has completed the continuing education requirements prior to issuing a prescription drug order(s) for any Schedule II controlled substance. It requires that the PAs have completed three (3) hours of continuing education biennially in the appropriate ordering and use of Schedule II controlled substances for which the PA has prescriptive order privileges.</u>
<u>SB130</u>	SC: Health and Human Services	Feb/19/2015 - Senate Read and Referred	<u>Sen. Bruce Thompson (R-White) seeks to create the "Smokefree Cars for Children Act." By adding new Code section 40-6-18 under Article 1 of Chapter 6 of Title 40, this legislation aims to prohibit individuals from smoking in a motor vehicle while there is a person under the age of 15 years in the vehicle. The person shall not be charged with a violation of this subsection (b) alone, but may be charged with violating this subsection in addition to any other traffic offense. (c) A violation of this Code section shall be a misdemeanor punishable by a fine not to exceed \$100.00.</u>

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<u>SR53</u>	SC:	Jan/26/2015 - Senate Read and Adopted	<u>Sen. Nan Orrock (D-Atlanta) authored this Resolution to recognize Multi-Agency Alliance for Children and their Day at the State's Capitol on January 20, 2015. This agency was formed in 1996, serving children from all parts of Georgia by providing behavioral health services who are troubled or difficult children, have been in numerous out-of-home placements or are in State custody.</u>
<u>SR56</u>	SC:	Jan/26/2015 - Senate Read and Adopted	<u>Sen. John Albers (R-Roswell) offered this Resolution to recognize January 28, 2015 as "Autism Awareness Day" at the State Capitol. Autism is four to five times more common in boys than in girls. 1 of 42 boys diagnosed with autism spectrum disorders where as 1 in 189 girls receive such diagnoses.</u>
<u>SR65</u>	SC: Government Oversight	Jan/27/2015 - Senate Read and Referred	<u>Sen. Harold V. Jones, II (D-Augusta) authored this Resolution to create a six-member Senate Special Tax Exemption Study as Georgia has long used as economic development tools various tax credits to attract and retain businesses. This Study Committee is proposed to "work with independent researchers at the State's research universities to undertake a study of tax records in order to analyze and examine existing economic development tax credits to determine whether employers receiving the credits are actually creating jobs at a higher rate than those that do not receive the tax credits and recommend any action or legislation which the committee deems necessary or appropriate." The Study Committee would make a report on its findings and/or recommendations.</u>
<u>SR69</u>	SC:	Jan/27/2015 - Senate Read and Adopted	<u>Sen. John Albers (R – Roswell) proposed this resolution that recognizes May 8, 2015 as Georgia STEM Day at the state capitol. STEM education is recognized as being fundamental to the success of our future workforce. Nearly 211,000 technology jobs are projected to exist in Georgia by 2018, so fostering student interest in STEM careers is very important.</u>
<u>SR72</u>	SC:	Jan/27/2015 - Senate Read and Adopted	<u>Sen. Burt Jones (R – Jackson). This resolution's purpose is to encourage the development of minority owned plasma centers. The resolution claims there are no plasma collection centers in the United States owned by an African American. The hope is that this will encourage the US plasma industry to open its markets and allow equal opportunity for minorities to participate.</u>

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<u>SR104</u>	SC:	Jan/29/2015 - Senate Read and Adopted	<u>Sen. Lindsey Tippins (R-Marietta) authored this Resolution commending Georgia Bio for the advancements it has made to the life sciences industry and for the impact it has on this state's economy.</u>
<u>SR113</u>	SC: Economic Development and Tourism	Feb/02/2015 - Senate Read and Referred	<u>Sen. Judson Hill (R-Marietta) authored this Resolution to create the Senate Entrepreneur in Residence Study Committee to look at ways in which to establish an entrepreneur in residence program which would place experienced entrepreneurs in government for limited periods of time to help identify and resolve problem areas slowing down entrepreneurs from creating jobs and bringing new products to market. This Committee would be composed of six members of the Senate and the chairpersons of the Senate Economic Development Committee and the Science and Technology Committee.</u>
<u>SR114</u>	SC: Economic Development and Tourism	Feb/02/2015 - Senate Read and Referred	<u>Sen. Judson Hill (R-Marietta) has proposed this Resolution creating the Joint Entrepreneur in Residence Study Committee. The Committee would be composed of six members, three House members and three Senate members.</u>