

02.27.2017 Legislative Tracking

Bill	Description	Analysis
<u>HB030</u>	HB 30 - Controlled substances; add synthetic opioid to Schedule I	<u>Rep. Kevin Tanner (R-) proposes to amend O.C.G.A. § 16-13-25 by adding a synthetic opioid to the list of Schedule 1 substances. The synthetic opioid added to the list is "(RR) 3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide (U-47700)".</u>
<u>HB035</u>	HB 35 - Insurance; pharmacy benefits managers; require confirmation of receipt of prior approval request for prescription drugs within 48 hours	<u>Rep. Bruce Broadrick (R-Dalton), would create a new Code Section relating to the licensure of pharmacy benefit managers at O.C.G.A § 33-64-10. The new language requires pharmacy benefit managers to provide notification of receipt of a request for prior approval for a prescription drug to a pharmacy or contracting representative within 48 hours of receipt of such request. Such notification must also include a claim reference number and return contact phone number for follow up. This new code section shall only apply to health insurance plans established under Article 1 or Chapter 18 of Title 45 or under Article 7 of Chapter 4 of Title 49.</u>
<u>HB036</u>	HB 36 - Optometrists; permit administration of pharmaceutical agents by injection under certain circumstances; change and provide certain definitions	<u>Rep. Ehrhart (R-Powder Springs), would amend O.C.G.A § 43-30-1 by making various changes to the definition of 'Optometry'. It removes the requirement that the State Board of Optometry establish a list of pharmaceutical agents to be used by optometrists. It also removes the requirement that prohibited a doctor of optometry from administering pharmaceuticals by injection. It would add new language that sets requirements for pharmaceutical agents that are administered by injection by optometrists. Such agents may not be sub-tenon, retrobobular, intraocular, or a botulinum toxin. Such injectible agents must be administered by either A) a licensed doctor of optometry</u>

		<p><u>who is licensed or certified by the board and who has obtained a certificate indicating completion of an injectibles training program; or B) A doctor of optometry who is enrolled in a qualified injectibles training program and who is under the supervision of doctor of optometry who holds a current license, or under a board certified physician in ophthalmology.</u></p>
<u>HB054</u>	<p>HB 54 - Health; indigent care in rural hospitals; provide an additional reporting requirement; change certain amounts eligible for tax credit</p>	<p><u>Rep. Geoff Duncan (R-Cumming), would amend O.C.G.A § 31-8-9.1 to require an additional reporting requirement for rural hospitals. Under this legislation, rural hospitals must report any payments made to a third party to solicit, administer, or manage the donations received by such hospital. It further amends O.C.G.A § 48-7-29.20 by increasing the tax credit for rural hospital expenses from 70 percent, to 90 percent of the actual amount expended for single individuals and for married couples. It would also increase the maximum amount of tax credits allowed to \$60 million (up from \$50 million) in 2017 and would decrease the maximum number of credits allowed in 2019 to \$60 million (down from \$70 million).</u></p>
<u>HB065</u>	<p>HB 65 - Low THC Oil Patient Registry; conditions and eligibility; change provisions</p>	<p><u>Allen Peake (R-Macon), amends O.C.G.A. § 31-2A-18 relating to the Low THC Oil Patient Registry. The bill expands the types of conditions that qualify a patient for the registry. Newly added conditions are: Tourette's syndrome, autism, intractable pain (defined as severe, debilitating pain that has not responded to medication or surgical measures), post-traumatic stress disorder, Alzheimer's disease, human immunodeficiency virus, and acquired immune deficiency syndrome. The bill repeals the requirement for individuals to reside in Georgia for at least one year before becoming eligible for registration. The bill also repeals the requirement for physicians to issue</u></p>

		<p><u>quarterly reports to the Georgia Composite Medical Board on the side effects on patient health due to THC oil usage.</u></p>
<p><u>HB071</u></p>	<p>HB 71 - Insurance; consumer protections regarding health insurance; provisions</p>	<p><u>Rep. Richard Smith (R-Columbus), would add a new chapter (Chapter 20E) to Title 33 of the Official Code of Georgia Annotated relating to insurance. This bill requires health care providers, group practices, diagnostic and treatment centers and health centers to inform patients of the various health benefit plans and hospitals that it contracts with. If the provider is out of network for a patient and the patient is receiving nonemergency services, the provider must, upon the patient's request, provide the patient with the estimated cost of such services in writing. The bill also requires physicians to make certain disclosures to patients regarding referrals, such as the name and address of the referred physician or provider. Hospitals would be required to post information about its health benefit plans, physician groups contracted by the hospital, and a statement regarding the physician's services that are not included in the hospital's charges. Further, this legislation requires hospitals to enter into credentialing agreements with health benefit plans insurers. Finally, O.C.G.A. § 33-20E-3 and O.C.G.A. § 33-20E-5 of this bill create disclosure requirements for insurers.</u></p>
<p><u>HB165</u></p>	<p>HB 165 - Medical practice; maintenance of certification shall not be required; provide</p>	<p><u>Rep. Betty Price (R-Roswell) would amend Title 43 by adding a new code section at 43-34-46 to provide that a 'maintenance of certification' shall not be required as a condition for licensure to practice medicine or as a prerequisite for hospital or staff privileges, employment in state medical facilities, reimbursement from third parties, or malpractice insurance coverage.</u></p>
<p><u>HB213</u></p>	<p>HB 213 - Crimes and offenses; sale, manufacture,</p>	<p><u>Rep. Golick (R- Smryna), proposes to amend O.C.G.A. § 16-13-31 to prohibit the sale,</u></p>

	delivery, or possession of fentanyl within the prohibition of trafficking certain drugs; include	<u>manufacture, delivery, or possession of four grams or more of 'fentanyl.'</u>
<u>HB231</u>	HB 231 - Controlled substances; Schedules I, II, IV and V; change certain provisions	<u>Rep. Bruce Broadrick (R-Dalton), is Georgia's proposed annual dangerous drug update legislation. It adds new controlled substances in Chapter 13 of Title 16 which are Schedule I, II, IV and V controlled substances to this list. It includes a new "fentanyl analog structural class" of drugs and derivatives, salts, isomers or salts of isomers.</u>
<u>HB360</u>	HB 360 - Prescription drugs; expedited partner therapy for patients with venereal diseases; provisions	<u>Rep. Sharon Cooper (R-Marietta), seeks an amendment to O.C.G.A. § 26-4-80(c)(2), concerning prescription drug orders and the control of venereal disease. It revisits a bill from 2016 in an effort to provide for "expedited partner therapy" for patients with Chlamydia or gonorrhea. A new Code Section is added in O.C.G.A. § 31-17-7.1 which defines "expedited partner therapy" and permits the licensed practitioner who diagnoses a patient to be infected with Chlamydia or gonorrhea the ability to utilize the expedited partner therapy in accordance with rules developed by the Department of Public Health.</u>
<u>HB400</u>	HB 400 - Opiate Abuse Prevention Act; enact	<u>Rep. Stacey Evans (D-Smyrna), seeks to address controlled substances and their regulation, providing limitations on prescriptions for opioids. Her legislation would be known as the "Opiate Abuse Prevention Act" if passed. It proposes a new Code Section at O.C.G.A. § 16-13-56.1 so that "a prescriber is not to issue a prescription to a patient for an opioid without first attempting a non-opioid prescription to alleviate pain; provided, however, that this shall not apply to a patient in hospice care." Further, if a prescription is issued, then it cannot be for more than a seven-day supply and no refills are to be permitted. Prescribers</u>

		<p><u>are also required to give their patients information on the risks of using opioids and the manner in which to dispose unused opioid products. It also requires that a prescriber who issues prescriptions for opioids is to take back any unused opioids from a patient for disposal. The prescriber is required to post a notice concerning these unused products which may be returned. The prescriber is also to report annually to the Department of Public Health "aggregate non-identifying data on prescriptions issued by such prescriber for opioids" and that Department is to determine the guidelines for such submission of data.</u></p>
<u>HB61</u>	<p>HB 61 - Sales and use tax; certain retailers to either collect and remit or notify purchaser and state; require</p>	<p><u>Rep. Jay Powell (R-Camilla), amends O.C.G.A. § 48-8-30 to require delivery retailers (defined as a retailer that has a gross revenue exceeding \$250,000 for one calendar year or conducts more than 200 retail sales) to collect and remit the tax imposed by this Code section. The retailer must notify consumers that the tax collected on their purchases may be remitted to the State, and must send a statement to the Department of Revenue detailing the total amount of sales and use tax collected for each year. Failure to submit such documentation will result in a fine.</u></p>
<u>HR036</u>	<p>HR 36 - Medical cannabis; production and sale to certain individuals for medical usage; authorize - CA</p>	<p><u>Rep. Allen Peake (R-Macon), amends Article III, Section IX, Paragraph VI of the Georgia Constitution relating to appropriations by the General Assembly. The amendment would permit the General Assembly to regulate the production and sale of medical cannabis. All or a portion of the net revenue derived from production fees will be dedicated to a state department, whereas tax revenue will be dedicated to drug treatment programs.</u></p>
<u>SB008</u>	<p>SB 8 - "Surprise Billing and Consumer Protection Act"; health insurance; provide</p>	<p><u>Sen. Renee Unterman (R-Buford) provides for: consumer protections regarding health insurance; disclosure requirements of</u></p>

	consumer protections; definitions	<u>providers, hospitals, and insurers; 4 billing and reimbursement of out-of-network services; procedures for dispute 5 resolution for surprise bills for nonemergency services; payment of emergency 6 services; out-of-network reimbursement rate workgroup.</u>
<u>SB031</u>	SB 31 - Community Health Dept.; at least two members of board shall also be members of the state health benefit plan; State Health Benefit Plan Customer Advisory Council; create	<u>Sen. Josh McKoon (R-Columbus), would amend O.C.G.A. § 31-2-3 relating to the Board of Community Health to mandate that at least two of its nine members be active or retired participants of either the Employee's Retirement System of Georgia or Teachers Retirement System of Georgia. This bill also creates the State Health Benefit Plan Customer Advisory Council. The Department of Community Health must consult the council when coordinating and purchasing health care benefit plans. SB 41, by Sen. Renee Unterman (R-Buford), amends O.C.G.A. § 26-4-28 to authorize the State Board of Pharmacy to issue durable medical equipment supplier licenses. With the exception of the entities listed in subsection (f) of this bill, any person who wishes to sell or rent durable medical equipment must obtain such licensure. Finally, the board is required to promulgate rules and regulations necessary to implement the provisions of this Code section.</u>
<u>SB070</u>	SB 70 - Hospital Medicaid Financing Program; sunset provision; extend	<u>Sen. Butch Miller (R-Gainesville) would amend O.C.G.A § 31-8-179.6 by extending the sunset provision relating to the hospital Medicaid financing program in order to extend the date of repeal to June 30, 2020 (it is currently June 30, 2017).</u>
<u>SB081</u>	SB 81 - "Jeffrey Dallas Gay, Jr., Act."; opioid antagonists under conditions the state health officer may impose; provide state health officer	<u>Sen. Renee Unterman (R-Buford), seeks to create the "Jeffrey Dallas Gay, Jr. Act." In part it addresses the proposed permission of the State's health officer to issue a standing order permitting certain persons and entities to</u>

	may issue standing order permitting certain persons and entities to obtain	<u>obtain opioid antagonists. This is codification of the Governor's order allowing the use of Naloxone as over-the-counter medication and permitted to be sold without prescription.</u>
<u>SB41</u>	SB 41 - Pharmacists and Pharmacies; durable medical equipment suppliers; provide for the licensure; definition; requirements; discipline and revocation	<u>Sen. Renee Unterman (R-Buford) would amend 26-4-5 to provide for the licensure of durable medical equipment suppliers and requirements for licensure for such suppliers.</u>