

Gold Dome



February 8, 2019

Gold Dome Report - February 8, 2019

It was Fireworks Friday under the Gold Dome as House members debated the substance and process related to the Amended FY 2019 Budget and as each chamber dove head first into one of the most anticipated policy battles for this legislative session--Certificate of Need. Indeed, freshman Rep. Colton Moore (R-Trenton) and experienced dissenter Rep. Matt Gurtler (R-Tiger) added drama to an otherwise straight-forward amended spending proposition as it was considered on the House floor today, drawing frustration from House leaders and other legislators. Meanwhile, healthcare advocates digested matching 83-page House ([HB 198](#)) and Senate ([SB 74](#)) bills that largely repeal and replace Georgia's health planning system and prepared for a skirmish that is likely to dominate the remainder of the session. It may be the end of the week, but the fun is just getting started--read all about it in today's [#GoldDomeReport](#).

In this Report:

- **House Approves Amended FY 2019 Budget**
 - **Governor Kemp Appoints State Board Members**
 - **Committee Updates**
 - **New Legislation**
 - **Rules Calendars for Legislative Day 11**
-

House Approves Amended FY 2019 Budget

The House approved [HB 30](#), the Amended FY 2019 budget, by a vote of 166-8 today. However, the process of deliberation led to a few heated moments on the floor as a small group of members rose to voice their dissatisfaction with parts of the budget, or, in some cases, the budget process as a whole. Minority Leader Bob Trammell (D-Luthersville) spoke in favor of the budget generally, noting his intention to vote for its passage, but he took to the well to address the \$1,000,000 for a Medicaid waiver consultant, insisting that the state has ample funds to fully expand Medicaid. He pointed to [HB 37](#), the Medicaid expansion bill he authored, as an example the expansion effects would have on Georgia, highlighting the fiscal note to make his point.

The real fun began as Rep. Colton Moore (R-Trenton) stood up to decry the chamber's expedited budget process that failed to consider using excess to funds to pay off the state's debts. From the well, he apologized for his outburst in support of Rep. Trammell's statement that the state is not spending its money in responsible ways, but Rep. Moore continued to draw the ire of other members as he claimed the public funding of programs directly contrasts the fiscal conservatism of the majority party. Members rose to express their displeasure with Rep. Moore, including what must have been a scathing reprimand by Speaker David Ralston (R-Blue Ridge), who summoned Rep. Moore to the rostrum after he yielded the well.

Rep. Matt Gurtler (R-Tiger) took to the well to explain that he felt a moral obligation to vote against the budget because of its lack of fiscally conservative principles. Rep. Gurtler called on the body to reject the process in favor of a slower, more detailed voting process as outlined in his [HB 4](#). His comments, especially those against the use of public funds for Mercer School of Medicine, drew impassioned responses in support of Mercer from members of the House.

Speaker Pro Tem Jan Jones (R-Milton) rose briefly to address Rep. Trammell's remarks regarding Medicaid expansion. Rep. Jones went as far to say there will be no "straight-up Medicaid expansion" in Georgia. After a brief explanation of her understanding of the effect of Medicaid expansion in other states, she yielded the well allowing the full House to vote.

Governor Kemp Appoints State Board Members

Governor Kemp has made a number of appointments to state boards during his first month in office. Pursuant to state law, the Governor's Office submitted these appointments to the Lieutenant Governor for the Senate's advice and consent, which include:

Name	Board
Don Balfour	Board of Governors of the George L. Smith II Georgia World Congress Center Authority
Robert Todd IV	Board of Trustees of the Georgia Firefighters Pension Fund
Charles Bass, Jr.	State Board of Physical Therapy
Randy Smith	Board of Human Services
Wayne Dasher	Board of Corrections
Rahele Branson	State Board of Occupational Therapy
David Retterbush	Georgia Composite Medical Board
Alexander Gross	Georgia Composite Medical Board
Andrew Reisman	Georgia Composite Medical Board
John Antalis	Georgia Composite Medical Board

John Edwards	Board of Juvenile Justice
Adam Kennedy	Board of Juvenile Justice
Bruce Carlisle	Board of Public Safety
Jeffrey Kunkes	Georgia Board of Physicians Workforce
Grant Harvey	State Board of Registration for Foresters
Wade Hall	State Board of Registration for Foresters
Pamela Collins	State Board of Occupational Therapy
Mary Austin	State Board of Occupational Therapy
Lisa Angert	Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists
Angie Eells	Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists
Scott Smith	State Board of Examiners of Psychologists
Wes Lewis	Board of Human Services
David Herring	State Board of Pardons and Paroles
Stacy Jarrard	Board of Corrections
Cynthia Mercer	Board of Public Health
Dennis Chastain	Board of Economic Development
Robert McClellan	State Board of Occupational Therapy
Mark Hanly	Georgia Board of Physicians Workforce
George McCluskey III	Georgia Board of Physicians Workforce
Steve Gautney	Georgia Board of Physicians Workforce
Chad Nimmer	Board of Economic Development
Elaine Powers	State Construction Industry Licensing Board: Division of Conditioned Air Contractors
Nicolas Marine	State Construction Industry Licensing Board: Division of Conditioned Air Contractors

Committee Updates

House Education Committee Academic Achievement Subcommittee

The Academic Achievement Subcommittee of the House Education Committee, chaired by Rep. Mike Cheokas (R-Americus) met today to hear one bill. [HB 59](#), authored by Rep. Dave Belton (R-Buckhead), amends Title 20 to allow children of active duty military personnel to register in a local school district based on the parent's official military orders rather than requiring the family to establish residency. Rep. Belton gave members of the committee copies of a letter from the Pentagon which listed such advanced enrollment as an issue they would like to see addressed in Georgia. He explained that the Department of Education has expressed support of the bill, with a caveat that if the child fails to attend the first 10 days of classes, they would be disenrolled. Rep. Randy Nix (R-LaGrange) asked for clarification as to what this 10-day policy entails. Chairman Cheokas inquired into current DoE policy and why this bill is necessary. Rep. Nix clarified the process a member of the military goes through when receiving orders, based on his time in the military. Upon the conclusion of this line of discussion, Rep. Nix moved the bill DO PASS and the bill passed unanimously.

New Legislation

The following legislation of interest was introduced in the House today:

- [HB 177](#), authored by Rep. Michael Caldwell (R-Woodstock), amends Title 9 to alter the statute of limitations for certain actions arising from burial of construction waste or materials. This bill was referred to the House Judiciary Committee.
- [HB 178](#), authored by Rep. Don Hogan (R-St. Simon's Island), amends Title 37 to create a unit within the Department of Behavioral Health and Developmental Disability to provide supervision, support, and coordination to assisted outpatient treatment programs that provide court-ordered treatment services. The bill also creates an advisory council for these programs and provides for a pilot program and training and education for service providers. This bill was referred to the House Health and Human Services Committee.
- [HB 179](#), authored by Rep. Colton Moore (R-Trenton), amends Title 20 to provide that school climate ratings not include discipline data. This bill was referred to the House Education Committee.
- [HB 180](#), authored by Rep. Michael Caldwell (R-Woodstock), amends various Titles to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies. This bill was referred to the House Code Revision Committee.
- [HB 181](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Title 20 to provide that the initial term or any renewal term of a charter school shall be no more than three years. This bill was referred to the House Education Committee.
- [HB 183](#), authored by Rep. Brett Harrell (R-Snellville), amends Title 48 to address the right to appeal of a taxpayer in the case of said taxpayer's failure to return real property or whether or not such real property was deemed returned for taxation. This bill was referred to the House Ways and Means.
- [HB 184](#), authored by Rep. Brett Harrell (R-Snellville), amends Title 36 to enact the "Streamlining Wireless Facilities and Antennas Act" to streamline deployment of broadband in public right of ways. This bill was referred to the House Economic Development and Tourism Committee.
- [HB 185](#), authored by Rep. Bruce Williamson (R-Monroe), is the annual bill containing cleanup language regarding banking and finance. This bill was referred to the House Banks and Banking Committee.

- **HB 186**, authored by Rep. Ron Stephens (R-Savannah), amends Title 31 to change how the proceeds from the sale of a public hospital may be invested. It requires monetary proceeds to be used on “health” care rather than “hospital” care. It also changes investments of hospital authorities that have ceased to own or operate medical facilities for a minimum of seven years, have paid off bond indebtedness, and other short/long term debt and hold more than \$20 million for charitable health care, permitting them to invest a max of 30 percent in registered mutual funds and commingled and collective investment funds. The bill also requires that members of a hospital authority board be treated as directors with regard to a hospital sale for purposes of conflicts of interest. This bill was referred to the House Government Affairs Committee.
- **HB 187**, authored by Rep. Katie Dempsey (R-Rome), amends Title 31 to require DCH create a three-year pilot program to provide coverage for the treatment and management of obesity and related conditions under a state health insurance plan. The pilot program, which will be limited to 250 participants, will provide coverage for all FDA-approved medications for chronic weight management, as well as obesity prevention, screening, and counseling benefits. The bill also allows DCH to enter into an agreement with a postsecondary institution for pilot program management, data collection, patient engagement, and other activities related to the pilot program

This bill was referred to the House Health and Human Services Committee.

- **HB 188**, authored by Rep. Renitta Shannon (D-Decatur), amends Title 31 to repeal Article 2 of Chapter 2A, relating to the Positive Alternatives for Pregnancy and Parenting Grant Program. This bill was referred to the House Health and Human Services Committee.
- **HB 192**, authored by Rep. Alan Powell (R-Hartwell), amends Title 43 to provide requirements for the establishment and maintenance of a real estate appraisal management company. This bill was referred to the House Regulated Industries Committee.
- **HB 193**, authored by Rep. Emory Dunahoo (R-Gainesville), amends Title 7 to allow banks and credit unions to offer savings promotion raffle accounts in which deposits to a savings account enter a depositor in a raffle. This bill was referred to the House Banks and Banking Committee.
- **HB 197**, authored by Rep. Kate Dempsey (R-Rome), amends Title 45 to provide for the establishment of the “Strategic Integrated Data System”. This bill was referred to the House Budget and Fiscal Affairs Oversight Committee.

- [HB 198](#), authored by Rep. Matt Hatchet (R-Dublin), amends Title 31 to essentially repeal and replace the Certificate of Need Program. Specifically, the bill retains Certificate of Need (“CON”) for skilled nursing facilities, home health agencies, personal care homes, intermediate care facilities, and Continuing Care Retirement Communities, but eliminates CON for all other health services and replaces it with a “special health care services license” program for most services currently under CON. The licensure program maintains the current exemptions under CON, but also creates new exemptions for mental health facilities and certain ambulatory surgery centers (such as Legacy Sports, cardiology procedures in an ambulatory surgery centers, and multispecialty ambulatory surgery centers with separate single specialty ambulatory surgery centers). It also bars objections to applications for licensure unless the new proposed service is outside of Metro Atlanta and is within ten miles of an existing facility providing those services. The bill also increases indigent care requirements to the 2-year rolling average of indigent care provided in the state for non-profit hospitals (and 3% less of the same average for for-profit institutions). There are added transparency requirements for hospitals (including posting on their websites). The bill provides for annual reports from facilities and certain disclosures by non-profit entities. It also addresses sales/leases by hospital authorities and their investments. Finally, the legislation amends the Rural Hospital Tax Credit program, raising the cap from \$60M to \$100M per year. This bill was referred to the House Special Committee on Access To Quality Healthcare which is chaired by Rep. Richard Smith (R-Columbus). A Senate version, authored by Sen. Matt Brass (R-Newnan), was also introduced as [SB 74](#).
- [HB 202](#), authored by Rep. Jesse Petrea (R-Savannah), amends Title 42 to require the Commissioner of Corrections to, on the official website used by the department, publish a report of aggregate data on the immigration status, offenses, and home countries of inmates who are not United States citizens and who are confined under the authority of the department. Additionally, the commissioner must report, in a similar manner, the percentage of inmates, in relation to the total population in confinement, that are not citizens of the United States. This bill was referred to the House Public Safety and Homeland Security Committee.
- [HB 204](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Title 48 to provide a tax exemption for veterinary medications. This bill was referred to the House Ways and Means Committee.
- [HB 205](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Title 40 to require the Department of Driver Services, in any republication of its drivers’ manual, to include instructions for best practices for facilitating the safety of all parties during a traffic stop by law enforcement. This bill was referred to the House Public Safety and Homeland Security Committee.
- [HB 206](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Title 20 to require that charter schools adhere to similar testing requirements as public schools; preventing them from exempting testing requirements in their charter application. This bill was referred to the House Education Committee.
- [HB 207](#), authored by Rep. Billy Mitchell (D-Stone Mountain), amends Title 40 to require motor vehicles to maintain flashing yellow hazard lights within a school zone provided that within 500 feet prior to the school zone there is an official sign announcing the approach of such school zone and such official sign has yellow signals that are activated and flashing at the time such driver passes the sign. This bill was referred to the House Motor Vehicles Committee.
- [HR 164](#), authored by Rep. Jay Powell (R-Camilla), proposes an amendment to the constitution to authorize the General Assembly to dedicate revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed. This resolution was referred to the House Ways and Means Committee.

The following legislation of interest was introduced in the Senate today:

- [SB 67](#), authored by Sen. Dean Burke (R-Bainbridge), amends Title 20 to provide for the disbursement of state funds for school that are destroyed by fire or natural disaster. This bill was referred to the Senate Appropriations Committee.
- [SB 68](#), authored by Sen. Freddie Powell Sims (D-Dawson), amends Title 20 to strengthen provisions for the training of local boards of education members and local school superintendents in financial management of school districts. This bill was referred to the Senate Education and Youth Committee.
- [SB 70](#), authored by Sen. Lester Jackson (R-Savannah), amends Title 20 to raise the age of mandatory education from 16 to 17. This bill was referred to the Senate Education and Youth Committee.
- [SB 71](#), authored by Sen. Ben Watson (R-Savannah), amends Title 31 to change how the proceeds from the sale of a public hospital may be invested. The bill also requires that members of a hospital authority board be treated as directors with regard to a hospital sale for purposes of conflicts of interest. This bill was referred to the Senate Health and Human Services Committee.
- [SB 74](#), authored by Sen. Matt Brass (R-Newnan), amends Title 31 to essentially repeal and replace the Certificate of Need Program. Specifically, the bill retains Certificate of Need (“CON”) for skilled nursing facilities, home health agencies, personal care homes, intermediate care facilities, and Continuing Care Retirement Communities, but eliminates CON for all other health services and replaces it with a “special health care services license” program for most services currently under CON. The licensure program maintains the current exemptions under CON, but also creates new exemptions for mental health facilities and certain ambulatory surgery centers (such as Legacy Sports, cardiology procedures in an ambulatory surgery centers, and multispecialty ambulatory surgery centers with separate single specialty ambulatory surgery centers). It also bars objections to applications for licensure unless the new proposed service is outside of Metro Atlanta and is within ten miles of an existing facility providing those services. The bill also increases indigent care requirements to the 2-year rolling average of indigent care provided in the state for non-profit hospitals (and 3% less of the same average for for-profit institutions). There are added transparency requirements for hospitals (including posting on their websites). The bill provides for annual reports from facilities and certain disclosures by non-profit entities. It also addresses sales/leases by hospital authorities and their investments. Finally, the legislation amends the Rural Hospital Tax Credit program, raising the cap from \$60M to \$100M per year. This bill was referred to the Senate Regulated Industries Committee, and it was also introduced in the House as [HB 198](#).
This bill was referred to the Senate Regulated Industries Committee
- [SB 75](#), authored by Sen. Ellis Black (R-Valdosta), amends Title 43 to provide for a professional health program from impaired veterinarians. This bill was referred to the Senate Agriculture and Consumer Affairs Committee
- [SB 76](#), authored by Sen. Ellis Black (R-Valdosta), amends Title 43 to create a State Board of Veterinarians. This bill was referred to the Senate Agriculture and Consumer Affairs Committee.
- [SB 77](#), authored by Sen. Jeff Mullis (R-Chickamauga), amends Title 50 to provide protections for government statues, monuments, plaques, and banners. This bill was referred to the Senate Government Oversight Committee.
- [SR 102](#), authored by Sen. P.K. Martin (R-Lawrenceville), recognizes the week of October 7-11, 2019 as Georgia Pre-K Week at the state capitol.
- [SR 115](#), authored by Sen. Ellis Black (R-Valdosta), recognizes February 11, 2019 as “Community Health Centers” Day.

- [SR 116](#), authored by Sen. Jen Jordan (D-Atlanta), recognizes February 12, 2019 as Dyslexia Day at the state capitol.
- [SR 120](#), authored by Sen. Butch Miller (R-Gainesville), recognizes and commends Salvatore Ferragamo.

Rules Calendars for Legislative Day 12

The House will take up the following measures on Monday for Legislative Day 12:

- [HB 23](#) -- Public utilities and public transportation; electric membership corporations and their affiliates to provide broadband services; specifically authorize (Substitute)(ED&T-Houston-170th)
- [HB 62](#) -- Health; require certain notice in mammogram report to patients with dense breast tissue (Substitute)(H&HS-Cooper-43rd)

The Senate will take up the following measure Monday for Legislative Day 12:

- [SB 16](#) -- "Interstate Medical Licensure Compact Act" (H&HS-32nd)

[View on Website](#)

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