

Gold Dome



February 19, 2019

Gold Dome Report - February 19, 2019

After a long President's Day Weekend, legislators returned to the State Capitol today and got right to work. After the Senate Appropriations Committee started the day by adopting their own version of the Amended FY 2019 Budget, the House and Senate met jointly to hear about the State of the Judiciary from Chief Justice Harold Melton. The fun didn't stop there, as what seemed like every legislative committee met at 2:00PM to keep bills and resolutions moving through the legislative process. There was a lot to keep track of on this Legislative Day 17, but we did our best. Check out our work in today's [#GoldDomeReport](#).

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Senate Appropriations Committee Proposes Changes to Amended FY 2019 Budget

In an early meeting this morning, the Senate Appropriations Committee, chaired by Sen. Jack Hill (R-Reidsville), unveiled its draft of the Amended FY 2019 Budget. Chairman Hill outlined more about the proposal which he explained did not contain a lot of new items included as the budget before the Committee was intended to be a “true up” of current funding initiatives. In total the Budget will be \$26.9 billion and this is a 3.3 percent in revenue fund growth over 2018. It also includes more than \$1.2 billion in lottery proceeds and \$1.89 billion in motor fuel taxes. Chairman Hill stressed that this amount of motor fuel taxes has allowed a doubling of the State’s DOT investment over a few years ago. Chairman Hill then noted the “headline” items in the supplemental budget that were retained as proposed by Governor Kemp, including funding for school security grants (\$30,000 for each school) and \$8.4 million in funds for the expansion of the APEX program in high schools. He also identified several additions made by the Senate Appropriations subcommittees, including:

- \$8M in additional funds to the Georgia Development Authority to provide low-interest loans to farmers impacted by Hurricane Michael (for a total of \$18M);
- \$2M in funds to assist rural hospitals damaged by Hurricane Michael;
- \$2.08M in additional funds to the Georgia Student Finance Commission for projected need in the Dual Enrollment Program;
- \$500,000 in additional funds to DOE construct additional middle school coding labs in low wealth areas;
- \$350,000 in additional funds to the Georgia Bureau of Investigation to expand the scope of the “See Something, Say Something” app;
- \$250,000 in additional funds to the Department of Human Services to reduce the Meals on Wheels waiting list;
- \$214,000 in additional funds to DOE for data storage device upgrades; and
- \$33,000 in additional funds to DCH for the Champions for Children Program.

Reductions from the House version include:

- \$1.5M reduction to DCH for the Health Coordination and Innovation Council.
- \$1M reduction to DOE for State Schools to eliminate House line item provision of generators for the Georgia School for the Blind and Georgia School for the Deaf;
- \$600,000 reduction to DCH for Departmental Administration due to actual hire dates for new quality assurance and program monitoring staff;
- \$600,000 reduction to the Governor’s Office of Student Achievement for discontinued programs;
- \$439,154 additional reduction to DBHDD for Child and Adolescent Mental Health Services due to implementation delays;
- \$161,295 reduction to DOE for Non-QBE Formula Grants to reflect projected expenditures; and
- \$100,00 reduction to the Board of Physician Workforce due to unused fellowships.

The Committee recommended the budget bill DO PASS and be sent to the Rules Committee.

The Committee also considered an additional bill this morning. [SB 67](#), authored by Sen. Dean Burke (R-Bainbridge), provides avenues for providing funding to school districts with fire or natural disaster damage or consolidating schools. Specifically, the bill allows schools damaged by fire or natural disaster to immediately qualify for regular state capital outlay funds and regular advance funding, as well as low-wealth capital outlay grants. It also allows school districts consolidating schools to access low-wealth capital outlay grants. Sen. Frank Ginn (R-Danielsville) inquired as to whether a system consolidating schools could use funds to build a new facility for the consolidated school, to which Sen. Burke responded affirmatively. Sen. Ginn had a follow up asking what about the existing schools and their potential sale or destruction; Sen. Burke indicated that would be up to the district to make such a decision. Before this low-wealth funding could be used, facilities would have to be at least 20 years old per Chairman Hill. The Committee recommended the bill DO PASS and be sent to the Rules Committee.

House Subcommittee Hears Testimony on School Voucher Bill

Before a packed room of interested parties, the Public Finance and Policy Subcommittee of the House Ways & Means Committee, chaired by Rep. Ron Stephens (R-Savannah), met to hear the first set of testimony on this year's school voucher bill. HB 301, authored by Rep. Wes Cantrell (R-Woodstock), amends Title 20 to establish educational scholarship accounts for children whose family income is less than 200% of the federal poverty level, who have been adopted from foster care, who have an active duty military parent, who have individualized education programs, who have documented cases of having been bullied, or have simply been enrolled in a Georgia public school for the past year. The bill would allow parents of such children to take the public funds allocated for their children's public education and place those funds in an account that could be used to pay for tuition, fees, and textbooks at private schools, as well as tutoring services, online education programs, and therapy services.

In his presentation of the legislation, Rep. Cantrell noted that the proposition is "a complicated bill", but it is ultimately pro-public education bill. He stated that the cost to implement ESAs in Georgia "will be minimal", and administration cost would be covered by a 3% levy on the funds diverted to an ESA. There is not yet a fiscal note on the bill. Rep. Cantrell stated that 78% of individuals polled nationwide support ESAs, including 70% of Democrat. The bill caps initial eligibility for ESAs to 0.5% of the public school population starting in Fall 2020, and increasing by 0.5% each year to a cap of 5%; Rep. Spencer Frye (D-Athens) asked about the author's amenability to a sunset provision, to which Cantrell indicated he is open. Rep. Shaw Blackmon (R-Bonaire) asked for highlights of differences from last year's HB 482, to which Rep. Cantrell noted that this bill provides for a higher yearly percentage of students eligible for an EASE (up to 0.5% per year from .25%) and institutes a pre-enrollment requirement for low income families (requiring enrollment in a public school before eligibility).

A number of groups spoke for and against the legislation. Speaking in opposition were the Georgia PTA (which noted that last year's fiscal note pegged the cost of the bill at \$35M, which is about the amount lawmakers are looking for to extend educator raises to school counselors, social workers, and psychologists), the Professional Association of Georgia Educators, the Georgia Education Coalition, Georgia School Superintendents Association, Georgia School Board Association, Cherokee County Schools, and Public Education Matters Georgia. Speaking in favor of the bill were two parents, GeorgiaCAN, Excellence in Education in Action, and the Georgia Center for Opportunity.

The Subcommittee did not take action on the bill since this was the first hearing, which is their custom. However, Ways & Means Committee Chair Brett Harrell (R-Snellville) invited written public comment that may be sent to the Ways & Means Committee the Committee's analyst, Brian Groome (brian.groome@house.ga.gov).

Chief Justice Delivers State of Judiciary Address

Today, Georgia Supreme Court Chief Justice Harold D. Melton presented his State of the Judiciary Address to a joint session of the General Assembly. He began his remarks, and ended them, with a tribute to the late Chief Justice Harris Hines, who died unexpectedly in November of 2018 only two months after retiring from the bench. Chief Justice Hines was loved by many and believed that one needed to help his or her fellow man. Chief Justice Melton remarked on a number of changes in 2019 - a new Governor, Lt. Governor, constitutional officers, 49 new lawmakers and 100 new judges across the State. Likewise, there are new judges on the Supreme Court and Court of Appeals. Chief Justice Melton described Georgia's judiciary as "sturdy, strong and stable." He noted that it was poised to meet the challenges of the State ahead. Melton remarked that Georgia has become a national model with its criminal justice reforms and those reforms are now being modeled by the federal system. He thanked Justice Mike Boggs for his work on criminal justice reform efforts. Chief Justice Melton also accented the approval and funding of the new judicial building only steps away from the State's capitol, which will be ready for move in November-December 2019. In his remarks, he also gave a brief history lesson on our nation's leaders: Alexander Hamilton and Aaron Burr. He pointed to the illegal duel which resulted in the death of Hamilton. Burr, however, never faced the actual charges brought against him and completed his Vice Presidency - Melton pointed out this story in part to show that the judiciary is not perfect and that our country is a nation of laws and not of men.

Chief Justice Melton pointed out other successes over the past year in addition to criminal justice reform efforts:

- Accountability courts - These courts are also known as specialty courts. Georgians who end up to these courts they have broken laws. These courts treat the whole person and as individuals, looking at their own stories.
- Foster care - Georgia has a number of children coming into the State's foster care system with multiple filings being required in the Juvenile Courts. There are a number of challenges in keeping these children with their families - such as grandparents and extended relatives. Kinship care helps those children and works towards providing guardians for the children who have legal authority to make decisions such as on healthcare and education. Funding has been requested to help these kinship caregivers with legal costs,
- Gang court - This effort began in Cobb County, targeting first-time gang offenders and high-risk youth. The court has been found to be effective.
- Council of Magistrate Courts - There is a new on-line form generator being used in one county, "The Wizard." It permits forms for all civil proceeding to be accessed. There are other courts following with similar efforts - such as processes to send reminders to folks of court dates. Another effort is Gateway which will provide 100 languages and which also permits e-filing of documents may be done anywhere in the state.
- SB 407 - This message passed last year and next month the electronic filing will be accomplished in all State and Superior Courts in the State.
- Criminal Justice Exchange System - This effort permits the sharing of documents across agencies in criminal cases from arrest through parole. There are four pilots of this system and a plan to roll out statewide in two years.

Chief Justice Melton stated the judiciary was only at the cusp of technological changes. He reminded the General Assembly that social ills lie in communities and looking at problems in your backyards and starting relationships and conversations will go to the core of finding solutions.

House Floor Action

There were two measures on the House Rules Calendar addressed today:

- **HB 158**, presented by Rep. Deborah Silcox (R-Sandy Springs), provides that Medicaid recipients have the same access to antiretroviral regimens used to treat HIV and AIDS as those included in the formulary established for the Georgia AIDS Drug Assistance Program. This suggests a single-tab regimen in order for greater compliance with the therapy to treat these diseases. Georgia is the number one state in the nation with cases of HIV and AIDS. There are 35,402 cases of HIV in Atlanta and 1,513 new diagnoses of AIDS in the last year. Approximately 3,500 of these are on Medicaid. Costs associated with the single-tab regimen is \$338,000 annually; treating someone who has not had HIV suppressed is \$1.79 million. Rep. Silcox urged that this was the “humane and physically responsible” thing to do. The Bill passed 169-0.
- **HB 192**, presented by Rep. Alan Powell (R-Hartwell), addresses real estate appraisers and permits the State Board of Real Estate Appraisers to develop regulations to become in sync with federal rules relating to appraisal management companies. The bill passed 163-2.

Committee Updates

House Health and Human Services Committee

Chairman Sharon Cooper (R-Marietta) and her Committee held a rather lengthy meeting that included a report by Dr. Ashley from the Georgia Trauma Commission. He noted that trauma care in the state was making a difference since the passage in 2007 of SB 60. The nine-member commission oversees the funding efforts for trauma in the state. Dr. Ashley also reported that Phoebe Putney Hospital in Albany had voted on February 6 to apply for a trauma center designation - this move will help improve care especially in the southwestern part of the state. Chairman Cooper stated that it was about time for Phoebe to make this move. Dr. Ashley also reported on the “Stop the Bleed Campaign” which has received \$1 million for the supply of the bleeding control kits. So far, the Commission has undertaken to provide education on this campaign and training on how to use the kits. There have been no such trainings in Lincoln and Taylor County schools; the Committee indicated it would work on that issue. There is another goal to supply the kits on all school buses in the state and to train bus drivers. NBC Nightly News accented Georgia’s Stop the Bleed Campaign in a segment aired during the last year. There have also been efforts to work with EMS providers across the State on airway bleeding control. Rep. Timothy Barr (R-Lawrenceville) inquired about an explanation on the various levels of trauma centers. Dr. Ashley explained that a Level 1 is the most intensive although a Level 2 has the same services. Level 1, however, is “cutting edge” and has research being conducted as it tied to and educational institution.

The Committee also heard from a former New York Times Journalist and his book, “Tell Your Children.” Alex Berenson talked about the dangers of marijuana use and abuse. He told the Committee that cannabis was more psychiatrically destructive, causing psychosis. He also noted that research indicated that use caused paranoia and that it could produce schizophrenia according to epidemiology studies (and there is link between adolescent use, depending the age of the child and amount used). This increase of schizophrenia with these children were from two to six times more than average youth’s risk. He noted that evidence with cannabis and THC in medicine is weaker than evidence. It will work, though, for chemotherapy patients on nausea and sometimes as a pain reliever (but there has been no comparison made with some of the over-the-counter products) and he cautioned it was not a solution to the opioid crisis. The Committee raised a number of questions. Rep. Deborah Silcox (R-Sandy Springs) inquired about the 5 percent oil and whether the ingestion was linked to the brain stem. Mr. Berenson indicated that the oil in oral form is processed through the liver and have more effect than smoking; thus, can cause greater psychiatric issues. Rep. Karla Drenner (D-Avondale Estates) noted that she would prefer to hear from real researchers with empirical data but she did state she would read the book. Berenson noted his wife was a Harvard and Columbia trained forensic psychiatrist and it was her discussions that led him to write the book. He indicated the book is based on research; there is just no bibliography.

The Committee also took up two bills

- [HB 217](#) - Rep. Houston Gaines (R-Athens) spoke about this proposal which has passed out of the House previously but was caught last year in the waning hours of the Session. This would address a syringe exchange services program which would be regulated by the Department of Public Health. He noted that it would be helpful to reduce the numbers of HIV as well as Hepatitis C cases. Over the weekend, the Atlanta Journal-Constitution reported that there were 4,000 cases of HIV in Cobb and Paulding counties. Rep. Mark Newton, MD (R-Evans) stated he was glad to see a registered syringe services program proposed but asked about the issue of disposal of syringes; he was told that there would be biohazard boxes for collections. His concern was around the discarded needles. There were also inquiries around educating the public about the program which would be done through marketing, social media and peer navigators. This bill received a DO PASS recommendation without changes.
- [HB 290](#) - Chairman Cooper presented this legislation which would allow for a three-year pilot project in Title 31 to be created for addressing new HIV infections to get new medications in instances where there was risk for pre-exposure. This would help keep an individual's viral level so low that will not transmit to someone else. The pilot could determine the drug adherence with patients. A drug manufacturing company will provide the drugs at no cost. Cooper indicated the program would cost the State \$50,000 in the first year and over three years would be somewhere between \$200,000 and \$300,000. She asked that an amendment be made to the bill, adding a Section 2, so as to make the legislation effective upon appropriation by the General Assembly. The Amendment was adopted and the bill received a DO PASS recommendation as amended.

House Juvenile Justice

The Committee held Rep. Chuck Efstration's (R-Dacula) bill on Anti-Human Trafficking Protective Response, [HB 234](#). They passed out [HB 70](#) by Committee Substitute. HB 70 is also by Rep. Efstration and addresses Georgia's guardian and ward laws in Title 29; this bill addresses temporary guardianship and required parental consent. They also passed out [HB 228](#) by Rep. Andy Welch (R-McDonough) which proposes to change the minimum age of marriage from 16 to 17 years of age in Title 19.

Senate Health and Human Services

Chairman Ben Watson, MD (R-Savannah) and his Committee took up [SB 106](#), a bill by Sen. Blake Tillery (R-Vidalia) proposed by Governor Kemp. SB 106 addresses Medicaid expansion in Georgia by providing the Governor the authority to apply for an 1115 Medicaid waiver and a waiver of 1332 under the Affordable Care Act. This bill would allow Governor Kemp to tailor healthcare solutions to Georgia's needs according to Sen. Tillery. There were several individuals who spoke to SB 106:

- Medical Association of Georgia - Rutledge Forney, MD presented on behalf of MAG and explained that expanding access was a priority of the organization. A Medicaid waiver would close the coverage gap in a fiscally responsible way and what MAG has promoted. Cost effective care should not be impeded by barriers (such as high copays and coinsurance) and the state should eliminate regulatory barriers to provide proven care and to seek parity between the Medicaid and Medicare programs. MAG supported the waiver to permit expansion at or below 138 percent of Federal Poverty Level ("FPL").
- Georgia Hospital Association - Ethan James spoke in favor of SB 106 permitting the Governor to explore more options for a Medicaid waiver. He noted that an insured patient is a healthier patient.
- Georgia Public Policy Foundation - Kyle Wingfield spoke that states are in the best position to lead on healthcare. This waiver idea is a best way to do so. He contended that the legislation would not, however, save the rural hospitals. It would rather limit folks to care and instead Georgia should be focused on getting folks covered by insurance. Individuals on the exchange now are eligible for subsidies with incomes of 100-138 percent of FPL.

- Georgia Budget and Policy Institute - Laura Harker stated she was encouraged to see a discussion about an 1115 waiver. However, this proposal would cost more to cover fewer individuals. Her concern was not claiming the 90 percent match rather than the 67 percent match. She noted in particular denials of waiver applications by states of Massachusetts, Arkansas and Utah. This bill would cost three times more to cover each person - \$135 million to cover 24,000 fewer individuals than a pure expansion. She would rather the waiver be at 133 percent FPL.
- Navicent - Julie Windom thanked the Governor and Sen. Tillery and strongly supported the Medicaid expansion idea. She suggested looking at the delivery system and the move to a fee for value approach rather than paying providers on a fee for service basis. Her system has lost \$207 million since the Affordable Care Act.
- Grady Health System - Matt Hicks supported SB 106 and stated it was an important first step to increase care. Grady in 2018 saw 700,000 patient visits. Their breakdown was 30 percent uninsured; 26 percent Medicare; 26 percent Medicaid and 18 percent private insurance. He noted the studies done by the General Assembly, over 20 studies in all, looking at transforming healthcare delivery. This waiver idea allows Georgia flexibility to design solutions.
- Georgians for Healthy Future - Laura Colbert agreed with the goals in the proposal and looking at innovative strategies. However, she cautioned of the unintended consequences. It could actually delay expansion and have diminished oversight. She questioned why not 138 percent of FPL was not used. With respect to the 1332 waiver, she indicated her organization was supportive of reinsurance ideas but the bill was overly broad as written and could cause a de-stabilization of the insurance market.
- Georgia Academy of Family Physicians - Fay Fulton spoke in support of SB 106. If state has more insured, then there will be a lower mortality rate and increased economic activity. She also noted that it would be helpful to the rural community.
- American College of Physicians - Mary Daniels also supported the legislation. Her internal medicine specialists are in favor of closing insurance coverage gap and worked alongside the Georgia Chamber of Commerce in 2016 with its publication of a study on Access to Healthcare. She supported the 90 percent match rather than the 67 percent match as that would be better - she noted that physicians and hospitals were economic engines in their local communities.
- Professor Daniel Lanford - He noted he had concerns about the legislation but overall was glad to see the legislation and discussion. He would be supportive if amended to 133 percent. He wants the best care to Georgians as fast as possible.
- Home Town Health - Jimmy Lewis thanked the committee on behalf of the rural hospitals.

There were some questions posed to Sen. Tillery. Sen. Chuck Hufstetler (R-Rome) indicated that he had previously pursued an Indiana-type waiver for Georgia and inquired if by using the 1332 waiver that would help Georgia to achieve the requisite assistance to get the 90 percent match on the 1115 waiver. Sen. Tillery said yes. Sen. Lester Jackson (D-Savannah) asked about what impact the bill would have on Georgia's 25,000 uninsured veterans; Tillery responded it should be helpful and provide them options. Sen. Renee Unterman (R-Buford) reminded attendees that when she chaired the Senate Health and Human Services Committee, her Committee had promoted waivers. She did thank the Governor for his leadership on this issue but it was not exactly what the Committee had previously discussed (in particular, she noted the needs of those with mental illness). Sen. Steve Henson (D-Tucker) inquired about why not moving to 138 percent. Blake Fulenwider, with the Department of Community Health, spoke that there is a new adult group covered up to 133 percent of FPL and the Department is instructed to utilize a five percent income disregard to determine eligibility. Sen. Henson also asked why some basic principles were not included in this legislation; the response was that waivers are good for five years (there are three one-year extensions and waivers are subject to appropriations). Many in the Republican party, per Henson, do not wish to see any sort of expansion. Mr. Fulenwider outlined a number of "guardrails" the federal government has outlined on waivers:

- Improve access to care
- Provide for Medicaid sustainability
- Have social determinants of health
- Address comorbidity
- Provide decision making
- Align with private insurance market
- Include value-based purchasing rather than quantity purchasing

Sen. Nan Orrock (D-Atlanta) indicated the legislation was big step and felt like the conversation was rushed in the hour-long meeting. She also inquired about the match of 90 percent versus that of 67 percent with federal funding. Her concern was the State would be spending more to cover fewer individuals. She also asked why a Subcommittee had not looked at SB 106. Sen. Henson also asked about the \$1 million appropriation for a Medicaid waiver consultant which is in the budget.

Sen. Dean Burke, MD (R-Bainbridge) moved do pass on the legislation. Sen. Henson asked to propose an amendment to move to 138 percent of FPL. Amendments are required to be received by the Chair 24 hours in advance of the meeting. He was not permitted to do so. Sen. Henson stated that he also wanted a hearing on his bill, SB 36, which would allow for a full Medicaid expansion rather than a waiver idea. The bill then received a DO PASS recommendation but with votes essentially splitting along party lines.

Senate Regulated Industries Committee

The Senate Regulated Industries Committee, chaired by Sen. Bill Cowser (R-Athens), met today to consider three pieces of legislation. Because of time constraints, the committee only voted on one, SB 2, and held a hearing only on SB 61.

SB 2, authored by Senator Steve Gooch (R-Dahlonega), amends Title 46 to permit electric membership corporations (EMCs) and their affiliates to deliver broadband services. The bill underwent an extensive amendment process as upwards of 5 senators proposed multiple amendments. Sen. John F. Kennedy's (R-Macon) amendment would ensure there is a distinction between leasing facilities and leasing services. Sen. Ed Harbison's (D-Columbus) amendment would make sure that EMCs could not share protected information with other EMCs. Sen. Jeff Mullis' (R-Chickamauga) amendment passes dispute adjudication from the judicial branch to the Public Service Commission. After the amendment process, SB 2 received a recommendation DO PASS.

[SB 61](#), authored by Sen. John Albers (R-Roswell), amends Title 31 to exempt integrated surgery centers from certificate of need requirements. More specifically this bill applies to ambulatory surgery centers built and operated in connection with an integrated athletic training and educational facility for youth, amateur, and professional athletes, medical research activities, and physician training and education for sports medicine. Sen. Albers noted that the Legacy Sports ASC has twice applied and been approved for a CON but met challenges that resulted in the Supreme Court refusing to hear the case. He also explained that the bill has very specific language so as to only apply to this ASC which would have an estimated economic impact of \$1 billion over five years.

Gina Lee, representing Legacy Sports and Dr. James Andrews, further explained the process by which the facility had difficulty obtaining a CON. She also read letters of support from various professional athletes.

Kathy Palvino, representing the Georgia Alliance of Community Hospitals, spoke against the bill. She stated that this bill is not narrow in focus and would create a wide loophole for CON exemptions. She further explained that this bill would allow for an ASC to be built so long as it met a few small markers designated in the bill including having one sport medicine physician who engages in clinical trials and educational services. Additionally she explained that the center's CON proposals were challenged in the past by other medical providers.

Ethan James, representing the Georgia Hospital Association, spoke in opposition to the bill. He also highlighted concerns with the broad definition of the bill and its potential to create CON loopholes statewide. He also stated it was disingenuous for Legacy Sports to say the bill limits their scope of practice because of the different language in the House and Senate versions and the versions from the previous legislative session. The Keri Conley of GHA further stated the Association's position that regardless of how narrow the scope of the legislation, the legislature should not make healthcare policy based on the request of single providers.

Mitch Harris, a former professional baseball player representing himself, spoke in favor of the bill, telling the committee of his experience with Dr. Andrews.

Chairman Cowser indicated that in the interest of time, the committee would not take action on SB 61 and will wait until their next meeting on Thursday to vote.

Senate Judiciary Subcommittee A

Subcommittee A of the Senate Judiciary Committee, chaired by Sen. Bill Cowser (R-Athens) met today to consider two pieces of legislation.

First, Sen. Jeff Mullis (R-Chickamauga) presented [SB 59](#) which amends Title 16 relating to wiretapping, eavesdropping, and surveillance. Under current Georgia law, only one person involved in the communication must give prior consent to allow for said communication to be intercepted. This bill would require all parties to give consent. Sen. Mullis explained that the bill protects individuals from being subverted by others with malicious intent. He stated that the initial statute this bill addresses originally stated that both parties must know they are being recorded but this was overturned by judicial action. He expressed his willingness to work with the committee to perfect the legislation.

Sen. Elena Parent (D-Atlanta) explained that she thinks there have been many examples where single party recording has been helpful, including undercover investigations and sexual harassment in the workplace. She asked if Sen. Mullis thinks it is always better to require two party consent, to which he stated he is open minded in carving out exemptions in the legislation. He also expressed that he is open to a slow process on the bill. Sen. Brian Strickland (R-McDonough) expressed concerns with the bill in regards to his experience with his private practice clients.

Ellen Reynolds, executive director of the Georgia Childcare Association, expressed concerns with the bill. She wanted to bring to the committees attention that this bill could apply to video recording. Many childcare facilities use live video feeds to allow parents to monitor their children. These centers often employ maintenance workers and outside individuals who may not consent to their video recording. She also expressed that her organization is working with DFCS to figure out if foster children would need consent from case workers on an individual basis, which she believes would be an arduous process.

The committee took no action on SB 59.

Sen. William Ligon (R-Brunswick) presented [SB 64](#) which amends Title 15 to include acts of terroristic threats directed towards individuals at, or generally against, an educational facility or school as a Class B designated felony act. He explained that law enforcement felt they did not have the tools to fully conduct oversight on those that make terroristic threats. He noted that the reason he chose the juvenile code was to ensure the charge could be removed from the individual's record once they have reached adulthood.

Sen. Jesse Stone (R-Waynesboro) asked how to differentiate between threats and pranks. Sen. Ligon explained that it would be up to a judge to make that determination.

Sen. Brian Strickland (R-McDonough) asked if an adult commits the same act, would they be charged at a lesser degree than a child. The Georgia Prosecuting Attorneys Council indicated that is correct.

Sen. Elena Parent (D-Atlanta), followed up on Sen. Stone's question about pranks, stating that it is possible children with mental illness could be more likely to act impulsively. She expressed concerns that by addressing the issue in the justice system rather than through behavioral health and wanted to consider a mechanism encourage counseling outside of the justice system.

The committee took no action on this bill and adjourned.

New Legislation

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

- [HB 326](#), authored by Rep. Erick Allen (D-Smyrna), amends Title 40 to create a special license plate to honor the Georgia Council on Substance Abuse, Inc. This bill was referred to the House Motor Vehicles Committee.
- [HB 328](#), authored by Rep. Karen Mathiak (R-Griffin), amends Title 31 to regulate body artists and body art studios. The bill exempts physicians and osteopaths or someone working under their direction from the regulations provided in the bill. This bill was referred to the House Regulated Industries Committee.
- [HB 330](#), authored by Rep. Rick Williams (R-Milledgeville), amends Titles 14 and 43 to address the practice of podiatry. The bill allows podiatrists to organize and join a professional association with other physicians. It also permits them to perform surgery under conscious sedation in a licensed hospital or ambulatory surgery center. The bill also changes the definition of "podiatrist" to mean a doctor of the foot, ankle, or leg. Previously the definition only covered the foot and leg. This bill was referred to the House Health and Human Services Committee.

- **HB 333**, authored by Rep. John Corbett (R-Lake Park), amends Title 48 to address the development of rural counties through the preparation of a listing by the Department of Community Affairs or counties in the state with populations of less than 50,000 with 10% or more of the population living in poverty. It also defines a “target wage”. It allows an additional \$500 credit for a new full-time job created in a county which is designated as a tier 1 or tier 2 county and has a population of 50,000 or less with 10% or more in poverty. The new credits would apply tax years beginning on or after January 1, 2020. This bill was referred to the House Ways and Means Committee.
- **HB 336**, authored by Rep. Shaw Blackmon (R-Bonaire), amends Title 47 to alter the Teacher Retirement System to permit a retired member to be “restored to service”. He or she may elect to cease their retirement benefits and become a member of the system, contributing to it and allowing them to gain more credible service; or continue to receive retirement benefits and their allowance but without any additional creditable service. If a retired member is “restored to service” then the employer must notify TRS in writing within 30 days. The bill also addresses employers’ requirements on making payments to the system. This bill was referred to the House Retirement Committee.
- **HB 340**, authored by Rep. Micah Gravley (R-Douglasville), amends Title 17 to revise provisions regarding when and under what circumstances persons accused of crimes may be released on their own recognizance. This bill was assigned to the House Judiciary Non-Civil Committee.
- **HB 344**, authored by Rep. Matthew Gambill (R-Cartersville), amends Title 48 to remove a requirement that an organization’s primary mission be to advance the arts in order to obtain a tax exemption for the sale of tickets, fees, or the charge of admission to fine arts performances. This bill was referred to the House Working Group on Art and Entertainment with Recommendations to the House Ways and Means Committee.
- **HB 346**, authored by Rep. Sharon Cooper (R-Marietta), amends Title 44 to outline a list of actions conducted by a tenant of a property for which the landlord cannot retaliate. This bill was referred to the House Judiciary Committee.
- **HR 256**, authored by Rep. Kasey Carpenter (R-Dalton), proposes an amendment to the Constitution to authorize the General Assembly to provide by law limitations on jury awards in civil cases. This Resolution was referred to the House Judiciary Committee.

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

- **SB 112**, authored by Sen. Lindsey Tippins (R-Marietta), amends Title 46 to prohibit the recovery of certain financing costs for the construction of nuclear generation plants from public schools. This bill was referred to the Senate Regulated Industries Committee.
- **SB 113**, authored Sen. Lindsey Tippins (R-Marietta), amends Title 31 to require that, on or after March 31, 2020, nursing homes and personal care homes with eight or more residents have a backup power source to provide medical care. This bill was referred to the Senate Health and Human Services Committee.
- **SB 114**, authored by Sen. Dean Burke (R-Bainbridge), amends Title 31 and proposes the following:
 - Reinstating the Health Strategies Council (“HSC”) and its 15 members effective July 1, 2019 and establishing its duties which include proposing a state health plan, drafting component plans and studying long-term approaches to provide health insurance coverage to this state in its entirety
 - Creating the HSC within the Office of Health Strategy and Coordination
 - Moving capital expenditure threshold from \$2.5 million to \$4 million
 - Adding definition of freestanding EDs to “health care facility” definition

- Adding a definition for “primary campus” of a healthcare facility and those buildings within 1000 yards of the building
- Adding a new definition for “specialty cancer hospital” for CTCA and changes the out-of-state patient requirements in its conversion to a “specialty cancer hospital” over five years and permits a destination cancer hospital to file for a CON to convert to a specialty cancer hospital on and after July 1, 2019 and requires such hospital to notify the Department on or before September 30, 2019 of that intent and establishes the process for the Department and applicant to follow
- Including the indigent and Medicaid requirements for a specialty cancer hospital (8.5 percent of AGR and care to GA Medicaid beneficiaries at 20 percent or more of net patient revenue) and sets fines for noncompliance (\$ 2million for first year, etc.)
- Exempting CONs filed by rural hospitals in rural counties from paying the application fees
- Exempting from CON the replacement of previously approved equipment (includes MRI, PET and PET/computed tomography)
- Expanding exemption from CON for non-clinical services to now also exclude administrative office space, conference rooms, education facilities, staff lounges, cafeteria, hallways, roofs, mechanical systems or other things which do not add a new or expand a clinical health service
- Amending current law on tax credits for rural hospital organizations and extending the repeal date to 2024

The legislation was referred to the Senate Regulated Industries and Utilities Committee.

- **SB 115**, authored by Sen. Renee Unterman (R-Buford), amends Title 43 to authorize the Composite Medical Board to issue telemedicine licenses to physicians that are licensed in other states but not Georgia. The bill provides for a list of eligibility requirements for qualifying physicians along with reporting requirements and grounds for license revocation. This bill was referred to the Senate Science and Technology Committee.
- **SB 118**, authored by Sen. Renee Unterman (R-Buford), amends Title 33 to modernize the Georgia Telemedicine Act including language addressing insurers and their responsibilities and limitations in coverage for telemedicine services. Notably, the bill prevents insurers from refusing to cover a telehealth service when the in-person service is not available for a patient, nor can insurers require its insureds to use telemedicine services in lieu of in-person services. This bill was referred to the Senate Science and Technology Committee.
- **SB 119**, authored by Sen. John Albers (R-Roswell), amends Title 28 to require that any tax bill submitted to the General Assembly cannot be adopted unless an economic analysis has been completed. The requirement for economic analysis extends to any amendments or substitutes applied to the bill. This bill was referred to the Senate Finance Committee.
- **SB 120**, authored by Sen. John Albers (R-Roswell), amends Title 28 to provide for an economic analysis to be submitted annually to the Senate Finance Committee and the House Ways and Means Committee. This bill was referred to the Senate Finance Committee.
- **SB 121**, authored by Sen. Larry Walker (R-Perry), amends Title 16 to increase the length of time that prescription information is retained in Georgia’s Prescription Drug Monitoring Program from two years to five years. This bill was referred to the Senate Health and Human Services Committee.
- **SR 184**, authored by Sen. Brandon Beach (R-Alpharetta), proposes an amendment to the Constitution to provide for the authorization of licensed destination gambling resorts. This Resolution was referred to the Senate Regulated Industries Committee.

- [SR 193](#), authored by Sen. Greg Kirk (R-Americus), creates the Senate Study Committee on Transferring Oversight of Developmental Disabilities to the Department of Community Health. This resolution was referred to the Senate Rules Committee.
- [SR 194](#), authored by Sen. Greg Kirk (R-Americus), creates the Joint Study Committee on Transferring Oversight of Developmental Disabilities to the Department of Community Health. This resolution was referred to the Senate Rules Committee.
- [SR 195](#), authored by Sen. Marty Harbin (R-Tyrone), urges Georgia's school districts to have an EMT present during all full-contact sporting events. This resolution was referred to the Senate Education and Youth Committee.
- [SR 197](#), authored by Sen. P.K.Martin (R-Lawrenceville), commends the Professional Association of Georgia Educators, Georgia Association of Educational Leaders, and Georgia Association of Colleges for Teacher Education and recognizes February 19, 2019 as PAGE, GAEL, and GACTE Day at the state capitol.

Rules Calendars for Legislative Day 18

The House is expected to consider the following measures tomorrow for Legislative Day 18:

- [HB 35](#) -- Sales and use tax; certain poultry diagnostic and disease monitoring services; create exemption (W&M-Watson-172nd)
- [HR 164](#) -- General Assembly; dedication of revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed; authorize - CA (W&M-Powell-171st)
- [HR 165](#) -- Property; conveyance of certain state owned real property; authorize (SProp-Greene-151st)
- [HR 182](#) -- Property; granting of non-exclusive easements; authorize (SProp-Greene-151st)

The Senate is expected to consider the following measures tomorrow for Legislative Day 19:

- [SB 17](#) -- Public Utilities and Public Transportation; authorize telephone cooperatives and their broadband affiliates; provide broadband services (Substitute) (RI&U-51st)
- [SB 48](#) -- Dyslexia; identification of and support for students in pre-kindergarten through second grade; provide (Substitute) (ED&Y-9th)
- [SB 55](#) -- Retirement; method and manner by which a member of the Employees' Retirement System of Georgia may purchase an annuity; revise (RET-52nd)
- [SB 75](#) -- State Board of Veterinary Medicine; professional health program for impaired veterinarians; provide (Substitute) (AG&CA-8th)
- [SB 79](#) -- Outdoor Advertising; references to the term "mechanical" in relation to multiple message signs; remove (TRANS-51st)

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GET IN TOUCH



Stanley S. Jones, Jr.

Partner

T 404.322.6133

stan.jones@nelsonmullins.com



George S. Ray

Associate

T 404.322.6145

george.ray@nelsonmullins.com



Helen L. Sloat

Legislative Consultant

T 404.322.6170

helen.sloat@nelsonmullins.com