

Gold Dome



March 13, 2019

Gold Dome Report - March 13, 2019

Lawmakers returned for Legislative Day 31 today, although only one bill was heard between the chambers. Legislators made it count, though, with the Senate considering [HB 316](#), Rep. Barry Fleming's (R-Harlem) proposition to replace Georgia's current all-electronic voting equipment with electronic paper ballot marking devices. The bill was met with stiff opposition by Democrats, several of which spoke from the well and called for hand marked paper ballots or other "voter verifiable" voting methods. But following a long debate, the vote fell on party lines and the bill passed 35-21. Meanwhile, the House gavelled in and gavelled out to move on to committee meetings, although the House Rules Committee did set a short Rules Calendar for House members to work through tomorrow.. House and Senate committees continue to meet as of our deadline this evening, but check out the progress so far in today's [#GoldDomeReport](#).

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Committee Updates

House Insurance Committee

The House Insurance Committee, chaired by Rep. Richard Smith (R-Columbus), met to consider several bills today:

- **SB 18**, authored by Sen. Kay Kirkpatrick (R-Marietta), is the “Direct Primary Care Act”, which allows direct primary care agreements and clarifies that they are not insurance for purposes of Georgia Law. According to Sen. Kirkpatrick, 24 states have direct primary care agreements, and the range between \$40-100 per month. She noted that these agreements are “not insurance” but can be layered with catastrophic care insurance. She also noted that the difference between such agreements and concierge medicine is that concierge medicine still bills insurance. Sen. Kirkpatrick state that doctors have said participating in these agreements has “restored the joy of practicing medicine”. Reps. John Carson (R-Marietta), Bruce Williamson (R-Monroe), and Lee Hawkins (R-Gainesville) all expressed support for the bill. The Committee recommended the bill DO PASS and be sent to the Rules Committee.
- **SB 118**, authored by Sen. Renee Unterman (R-Buford), modernizes the “Georgia Telemedicine Act” and redefines it as the Georgia Telehealth Act. The bill requires insurers to cover telehealth services and provides for reimbursement at the originating and receiving sites. Sen. Unterman noted that there was a change in Subcommittee at line 69 to ensure that providers that are in-network with an insurer are actually paid their network rate. Chairman Smith questioned how originating providers would be reimbursed (as a consultant or treating physician). The Committee recommended the bill DO PASS and be sent to the Rules Committee.
- **SB 156**, authored by Sen. P.K. Martin, IV (R-Lawrenceville), deals with the division of domestic insurers and when they do divide each must be solvent and have corporate structures. The Commissioner of Insurance has the ability to oversee and regulate this process. In the notice of reduction of coverage, passed in 2018, is amended so that the notice is not in all capital letters when such notice is transmitted to consumers. The Committee recommended the bill DO PASS and be sent to the Rules Committee.
- **SB 202**, authored by Sen. William Ligon Jr. (R-Brunswick) would allow title insurance on personal property in addition to real property. The bill is being sought by lenders who secure loans with personal property, like large industrial and manufacturing equipment. The Committee recommended the bill DO PASS and be sent to the Rules Committee.

Senate Health and Human Services

The Senate Health and Human Services Committee, chaired by Sen. Ben Watson (R-Savannah), met today to consider several bills:

- **SR 276**, by Sen. Renee Unterman (R-Buford), is an “urging resolution” to Congress to eliminate the five-month waiting period for individuals with ALS disease to obtain Social Security disability benefits. Sheila Humberstone spoke on behalf of the ALS Association - Georgia Chapter in favor of the proposal. Waiting for benefits is a barrier to benefits so this will help a great deal; folks cannot afford to wait. Chairman Watson was supportive of the idea as he has had patients with this disease. Sen. Nan Orrock (D-Atlanta) asked if Medicaid coverage began with receipt of Social Security disability benefits - that would still require qualification based on income. Medicare would kick in if the patient was under age of 65. The Committee gave this Resolution a unanimous DO PASS recommendation.
- **HB 300**, by Rep. Vance Smith (R-Pine Mountain), seeks to change the name of “continuing care retirement communities” in Titles 31 and 33 to “life plan communities.” The legislation was to be used as a vehicle to address a portion of HB 198, which seeks to address the number of skilled nursing beds a “CCRC” may have - however, that did not occur. The legislation received a unanimous DO PASS recommendation in its original form and moves to the Senate Rules Committee. Sen. Bill Cowser (R-Athens) will carry the bill forward.

- **HB 514**, by Rep. Kevin Tanner (R-Dawsonville), creates the Georgia Behavioral Health Reform and Innovation Commission. The Lt. Governor, Speaker and Governor have worked on this Commission idea jointly. It will be a long-term Commission. As proposed as the bill came to the Senate, this Commission will be composed of 23 members (of these two will be members of the House of Representatives and two will members of the Senate). There will be appointments by the Governor, Speaker, Lt. Governor and Chief Justice of the Supreme Court. Various departments will serve as ex officio members of this Commission. This Commission will look at conditions, needs and problems in the state as well as look at best practices and experiences (including what is ongoing and working in other states), and report annually to the Governor, Lt. Governor and Speaker. There are subcommittees proposed in the Commission but others may also be identified. It gives Chairman of Commission the ability to locate additional expertise if needed. There was a Substitute presented today, moving it closer to the original version. Rep. Tanner did ask for a specialist in addiction be added to the Commission. Tanner also stated he would be open to adding the Director of Family and Children's Services as an ex officio member. The executive counsel of the Governor has to approve any agenda for Commission meetings so as not to conflict with the work undertaken in the DOJ Settlement. Sen. Kay Kirkpatrick (R-Marietta) asked about whether this would replace or conflict with the Behavioral Health Coordinating Council which it will not. Sen. Orrock mentioned the need to look at early childhood needs; that is one reason that the Commission includes an education official as well as a child psychiatrist and a subcommittee on children and adolescent issues. CSBs were not in original version; they are not in the Substitute. Traumatic brain injury representation is also included in the Substitute. Sen. Orrock asked if the CSBs should not be included. Rep. Tanner indicated that the intent was to have folks from the outside looking at the issue. Sen. Unterman reminded the Committee that the DFCS person is a Director not Commission. She also had some changes around substance abuse. Kathy Colbenson spoke on behalf of CHRIS 180 as its CEO. She supported HB 514 to look at state investments to make sure of quality of services and good outcomes. Debra Nesbit spoke on behalf of ACCG - mental health is a priority of the membership. Local county jails should not be the largest mental health provider. Cindy Levi, Avita Community Partners (CSBs), have remained in favor of HB 514 as it passed out of the House. She asked for consideration for including CSBs (urban and rural) as members of the Commission as they are the public safety net for services. Jewell Gooding, executive director with Mental Health America, spoke in favor of the legislation. Sen. Unterman asked for a Substance Abuse and Addiction Specialist be added at line 47 (page 2). Sen. Kirk asked if the Director of DFCS or his/her designee be added to the listing of ex officios (line 76) be added. These changes bring membership to 22. This motion was adopted unanimously to make these revisions. Sen. Orrock asked for two CSBs be added to the Governor appointments. Sen. Unterman indicated that they already have the Behavioral Health Coordinating Council; she could agree to one CSB and that would be sufficient. She acknowledged CSBs were experts and had valuable opinions. Sen. Kirk asked that the CSBs be ex officio members on the Commission. The Committee inserted that a member of the CSB Association as a non-voting member be placed at line 48 - moving the membership to 23 (Sen. Orrock's motion). That motion carried unanimously. The Department of Public Health Commissioner is also not included. HB 514 received a DO PASS recommendation on the Substitute as amended.

Senate Judiciary Committee

The Senate Judiciary Committee, chaired by Sen. Jesse Stone (R-Waynesboro), met to consider several bills today:

- **HB 228**, authored by Rep. Andy Welch (R-McDonough), amends Titles 15 and 19 to end child marriage in Georgia. Rep. Welch presented the bill, noting that the legislation would raise the minimum age for marriage from 16 to 17 and imposes "significant hearing obligations" on a court holding emancipation proceedings to allow for marriage of a minor. He also stated that banning child marriage is a trend around the country and that statistics show many child marriages involve much-older spouses (suggesting abusive or coercive situations). The Committee took no action on the bill today.

- [HB 246](#), authored by Rep. Deborah Silcox (R-Sandy Springs), amends Title 24 to remove the statutory requirement that the Prosecuting Attorneys' Council pay for depositions to preserve evidence for trial in criminal cases. The bill was requested by the Prosecuting Attorneys' Council and the Elder Abuse Council and is intended to memorialize the current practice, which is for the court in a case to determine who pays for a deposition. Pete Skandalakis of the Prosecuting Attorneys' Council noted that no funds have ever been appropriated for PAC to pay for the depositions. The Committee recommended the bill DO PASS and be sent to the Rules Committee. Senator John Kennedy (R-Macon) will carry the bill in the Senate.
- [HB 387](#), authored by Rep. Eddie Lumsden (R-Armuchee), amends Title 44 to allow for subscriber-based nonprofit volunteer fire departments to place a lien on property where they respond to a fire as requested by a non-subscriber and the non-subscriber fails to pay for the cost of extinguishing the fire. The Committee recommended the bill DO PASS and be sent to the Rules Committee. Senator Jeff Mullis (R-Chickamauga) will carry the bill in the Senate.

The Committee meeting continued as of our publication deadline. Further action will be reported tomorrow.

Rules Calendars for Legislative Day 32

The House will take up the following propositions on Thursday for Legislative Day 32:

- [HR 135](#) -- Congress; eliminate five-month waiting period for disability insurance benefits for individuals living with amyotrophic lateral sclerosis (ALS); urge
- [SB 99](#) -- Department of Natural Resources' Online Licensing System; allow applicants to make an anatomical gift; provide

The Senate will take up the following propositions on Thursday for Legislative Day 32:

- [HB 21](#) -- Gwinnett Judicial Circuit; additional judge of the superior court; provide (JUDY-9th) Efstrotation-104th
- [HB 28](#) -- Griffin Judicial Circuit; additional judge of the superior court; provide (JUDY-18th) Mathiak-73rd

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