



# HEADLINES

with *Senator Ed Harbison*



## Senate District 15 – Session Update – 2019

### HEALTHCARE

**House Bill 26** enters Georgia into the Psychology Interjurisdictional Compact known as ‘Psypact’. HB 26 provides that a person admitted under the compact can practice psychology, both telepsychology and face-to-face treatment, across state lines, allowing more individuals to practice psychology in our state.

**House Bill 62**, also known as, ‘Margie’s Law’ would require that a health care facility notify a patient whose mammogram showed ‘dense breast tissue’ as finding such may indicate cancerous cells. The bill also stipulates that healthcare professionals should encourage patients to seek further testing.

**House Bill 63** creates a limited exception to health benefit plans’ step therapy protocol when certain levels of justification and supporting clinical documentation have been met.

**House Bill 166** establishes the ‘Genetic Counselors Act’, which requires any individual engaged in the practice of genetic counseling in this state to be licensed by the Georgia Composite Medical Board. Genetic counseling is a process to evaluate and understand an individual’s risk of inherited medical conditions.

**House Bill 186** revises Certificate of Need (CON) requirements, extends the Rural Hospital Tax Credit, and creates the Office of Health Strategy and Coordination. For CON reform, the bill does the following: (1) increases the capital threshold for new, expanded or relocated clinical facilities to \$10 million, and removes CON approval requirement for non-clinical space upgrades and renovations; (2) revises the definitions of “ health care facility”, “primary campus”, and “remote hospital location”; (3) allows CTCA to become a “general cancer hospital”; (4) changes requirements to the CON application process; and (5) increases transparency through new reporting requirements. Further, this bill prohibits non-profit hospitals from renewing or holding medical use rights. Finally, HB 186 creates the Office of Health Strategy and Coordination, which is tasked with connecting state resources, functions, reports, and agencies for improved health care service infrastructure.

**House Bill 217** provides civil and criminal immunity to employees and agents of state registered for the possession, distribution, or exchange of syringes, needles, and supplies as part of a program intended to cut down on the spread of viruses transmitted through needle use.

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*Healthcare continued...*

**House Bill 324**, Georgia's Hope Act, provides access to low THC cannabis oil for registered patients who are already legally allowed to possess the medicine. The bill establishes three ways of access: 1) an attempt by the state to procure the oil from another state; 2) issuance of two university licenses at the University of Georgia and Fort Valley State to produce the oil; and 3) issuance of six licenses for private companies to produce the oil – two licenses for large companies, and four licenses for small companies. This bill also establishes the Georgia Access to Medical Cannabis Commission to oversee the procurement and production of low THC cannabis oil.

**House Bill 323** will increase transparency by requiring pharmacy benefits managers to report the number of rebates they retain and what they transfer to patients. Further, any rebate received by a pharmacy benefits manager may not be applied against the patient's cost of medication and will not increase the dispensing pharmacy or other dispenser practice's cost of participation.

**Senate Bill 106**, also known as the 'Patients First Act', authorizes Governor Kemp to pursue waivers from the Federal Government that would improve access to care for uninsured Georgians who make up to 100% of the federal poverty level, and lower insurance premiums for all Georgians covered by private health care plans.

## EDUCATION AND ECONOMIC DEVELOPMENT

**House Bill 59** allows parents or guardians on active duty to pre-enroll a student in a K-12 school when official military orders to transfer into or within the state of Georgia are received.

**House Bill 239** creates a statewide business court, like the ones already in existence in Metro Atlanta.

**House Bill 365** lowers the ad valorem tax rate on vehicles from 7% to 6.6% from 7/1/19 until 7/1/23, and extends the range for model year vehicles eligible to receive the reduced rate of 0.5%. For used vehicles purchased from a dealer, TAVT will be calculated using the retail selling price. For used vehicles purchased from an individual, TAVT will be calculated using the average of the current fair market value and current wholesale value of the vehicle.

**Senate Bill 25** seeks to increase safety for students by clarifying that drivers must stop for school buses on roadways separated by a grass median, unpaved area, or physical barrier.

**Senate Bill 60** creates the 'Jeremy Nelson and Nick Blakley Sudden Cardiac Arrest Prevention Act', which would require the Department of Education to develop and publish guidelines for dealing with cardiac arrest.

## AGRICULTURE AND RURAL ISSUES

**Senate Bill 2** allows EMC's to provide broadband services, while prohibiting the cross subsidization of the EMCs broadband services and its natural gas or electricity services. Further, the bill also prohibits EMC's disconnecting a user's gas or electric service for their failure to pay for the broadband service, and vice versa.

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*Agriculture/Rural Issues continued...*

**House Bill 213** allows for the cultivation and processing of industrial hemp and hemp products in Georgia. The bill further provides for colleges and universities in the University System of Georgia to conduct research on hemp, including the development of new hemp varieties, seed development, and consumer uses. The Department of Agriculture will provide oversight of all compliance and regulation. The passage of HB 213 will further grow Georgia's number one industry, agriculture, by providing farmers another crop to rotate into their planting.

**House Bill 382** makes technical changes to the Georgia Outdoor Stewardship Act, which the General Assembly passed overwhelmingly in 2018. These changes enable DNR to effectively carry out this program which will dedicate approx. \$20MM to conservation efforts across our state.

**House Bill 455** creates the Georgia Agricultural Marketing Authority and lays out its governing structure. This authority is charged with providing facilities and activities to promote the agricultural community's products to agribusiness entities and the public.

### **REGULATION AND TAX REFORM**

**House Bill 224** amends the investment tax credit by increasing the minimum investment from \$50,000 to \$100,000 for all tiers, as well as changing certain requirements as it relates to the number of jobs required to be created in order to qualify for the credit in rural counties.

**House Bill 316** changes our voting method by introducing a ballot-marking device with a paper ballot that can be audited that is in line with the expert recommendations of Governor Kemp's S.A.F.E Commission.

**House Bill 344** exempts Habitat for Humanity and their affiliates statewide from the ad valorem tax on lots that are donated to them, provided they use such properties for Habitat purposes.

**Senate Bill 157** would allow small banks serving as depositories of county and school funds to participate in deposit placement programs.

### **SAFE FAMILIES**

**House Bill 12** requires that schools to post signs containing the toll-free number to report incidents of child abuse in a visible, public area of the school.

**House Bill 25** allows military members to opt out of certain contractual obligations due to circumstances of active duty. Contractual obligations individuals may opt out of include health spas, television, video or audio programming, and internet access.

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*Safe Families continued....*

**House Bill 193** allows banks and credit unions to offer “savings promotion raffle accounts”, which is a contest where the depositor deposits a specified amount of money (an “entry”) into a savings account or program offered by the bank with the chance of that entry being chosen to win a specified prize.

**House Bill 346** seeks to out the bad actors in the residential lease community by affording tenants the right to file a claim for retaliation when they feel they have been dispossessed for filing a complaint against a landlord regarding the living conditions of their residence.

**House Bill 424** adds the offenses of trafficking persons for labor or sexual servitude, keeping a place of prostitution, pimping, and pandering to the list of offenses defined as criminal gang activity. Further, this bill cleans up current evidentiary requirements.

**House Bill 471** brings Georgia’s ‘Implied Consent’ language for DUI’s, BUI’s, and hunting under the influence in line with the latest ruling from the Supreme Court of Georgia.

**House Bill 543** creates a process by which a judge may confer standing to have access to the court in cases involving the care, custody, or welfare of a minor child upon individuals who can demonstrate by clear and convincing evidence that to do otherwise would cause the child to suffer physical or long-term emotional harm.

**Senate Bill 158** authorizes DFCS to provide emergency care and supervision for a child human trafficking victim, for labor and sexual servitude, without a court order or the consent of the parents or legal guardian. Further, this bill directs DFCS to take the child to a certified victim services organization to provide trauma-informed services. Finally, this bill limits the prosecution of individuals for prostitution to those individuals over the age of 18, while also adding a claim of nuisance for premises where an owner or operator has charged for sexually related services on or inside the premises.