

Georgia Bio Legislative Watch Week: February 13, 2015 Nelson Mullins Riley & Scarborough LLP

Lawmakers returned to the Capitol to gavel in for week five of the 2015 Legislative Session. Legislation has begun to move through the various committees, with a few pieces passing out of their respective floors. Hundreds of bills have been placed in the Hopper and we are expecting hundreds more to fly in during the next couple of weeks. Aside from the incredible influx of legislation, here are some additional highlights from this week under the Gold Dome:

Adjournment Resolution: The General Assembly set a new schedule for the remainder of the Session, marking March 13th as Crossover Day and April 2nd as Sine Die. The full calendar can be accessed <u>here</u>. Additionally, the House promised to pass their version of the FY 2016 budget by February 26 and the Senate promised to complete work on the budget and have it out by March 20.

HB 195: Rep. Sharon Cooper (R-Marietta) conducted a vigorous Committee meeting earlier in the week to discuss provider contracting issues with Blue Cross/Blue Shield and then hold a hearing on HB 195 concerning biosimilar drug substitution.

The first 1-1/2 hours of the meeting concerned Blue Cross/Blue Shield contracting practices. Rep. Cooper led a spirited discussion and began with what she described as an unusually large number of provider complaints about contracting practices and pricing of payments to providers. She had invited Grady Memorial Hospital, Northeast Georgia Medical Center, Polk County Hospital and the Medical Association of Georgia to describe their contractual disputes with Blue Cross. Grady led the hearing with a long discussion of the dispute over recontracting with Blue Cross and the "Blues" reimbursement to Grady which is less than it contracts with other Georgia Hospitals, across the board. The Grady Health System CFO indicated that Grady would have received at least \$13 million more in reimbursement from Blue Cross if it were paid at the rates of other in network Blue Cross hospital providers. Northeast Georgia Medical Center described the long length of time in 2014 it took to reach agreement with Blue Cross and Polk Medical Center described the consequences of not being in network with Blue Cross. The effects on providers and patients were fully described. Rep. Cooper also strongly emphasized to the Department of Community Health (DCH) Commissioner Clyde Reese that DCH should engage in more competitive bidding over the insurers who serve the State Health Benefit Plan and she asked for a more competitive bidding process for 2016. There were numerous Committee questions and supportive commentary from Rep. Trey Kelley (R-Cedartown where Polk Medical Center is located) and Rep. Lee Hawkins (R-Gainesville where Northeast Georgia Medical Center is located). Blue Cross did not attend the hearing, but Graham Thompson, with the Georgia Association of Health Plans, spoke about the complexity of insurer/provider contracting and accented that this is a bargain between competing hospitals.

The Committee next turned to and passed unanimously HB 195 that permits substitution of interchangeable biosimilar products for biological products, as both become approved by the FDA. Rep. Cooper is the lead signer on the bill and she presented it to the Committee while Secretary to the Committee Rep. Ed Rynders (R-Albany) presided. One patient with rheumatoid

arthritis described her illness and supported the beneficial use of biological medicines and the mandated physician communication from the pharmacist who may substitute the interchangeable products for the biological ones. She was joined by the Arthritis Foundation of Georgia, the American Cancer Society, the Medical Association of Georgia, Georgia Bio, the Georgia Generic Pharmacy Association and Express Scripts in support of the bill. Only the American Health Insurance Plans association raised any issues with the bill, arguing that it is premature since no interchangeable biological drugs are yet approved by the FDA and that the communication to physician provisions in the bill are onerous.

SB 51 - Sen. Renee Unterman (R-Buford) and her Committee took up <u>SB 51</u> on Thursday. Sen. Dean Burke, M.D. (R-Bainbridge) presented the proposal to the Committee. It provides for the substitutions of interchangeable biological products by a pharmacist. Further, if a pharmacist "substitutes an interchangeable biological product for a prescribed biological product when dispensing a prescribed medication, the name of the interchangeable biological product, with an explanation of 'interchangeable biological product for (insert name of prescribed biological product)' or similar language to indicate substitution has occurred, must appear on the prescription label and be affixed to the container or an auxiliary label, unless the prescribing practitioner indicated that the name of the biological product may not appear upon the prescription label; provided, however, that this paragraph shall not apply to biological products dispensed for inpatient hospital services or to biological products in specialty packaging for dosing purposes as defined by the board." The pharmacist is to provide notice to the physician within 48 hours of dispensing the substitution. A number of individuals spoke in favor of the initiative including representatives from the Arthritis Foundation, the Generic Pharmaceutical Association, American Cancer Society, Medical Association of Georgia, GABIO, Georgia PHARMA, and Advocates of Responsible Care. Alan Hayes, with America's Health Insurance Plans, also spoke in favor of the idea but had concerns about the "notification" to the physician, which is stronger than current law governing generics. SB 51 passed, moving to the Senate Rules Committee. http://www.georgiahealthnews.com/2015/02/bill-biosimilar-drugs-easily-clears-panel/

Bill **Committees** Status **Summary Sponsor Analysis** A BILL to be Rep. Allen Peake (R – entitled an Act to Macon) proposes an amend Chapter 34 of amendment to O.C.G.A. Title 43 of the Chapter 34-43 to Jan/28/2015 encourage the use of Official Code of Georgia Annotated, (1) Peake, HC: Judiciary - House medical marijuana for HB1 relating to Allen 141st Non-Civil Second specified treatment physicians, conditions, his "Haleigh's Readers acupuncture, Hope Act" for 2015. The discussion around this physician assistants, cancer and glaucoma proposal has been to add treatment, respiratory epilepsy to the set of

Page 3 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	care, clinical perfusionists, and orthotics and prosthetics practice, so as to change certain provisions relating to the use of marijuana for treatment of cancer and glaucoma; to provide for regulated medicinal use of cannabis and derivatives thereof to treat certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.				conditions, such as glaucoma and cancer, for which medical marijuana in liquid, pill or injection form may be used. The initial version of the bill is stated in the form of legislative intent to permit use of cannabis of controlled strength to qualified patients. The bill prohibits recreational use of cannabis. The bill would provide immunity to individuals who have legally obtained the medicine by decriminalizing possession of cannabis oil that contains less than 5% THC (3% for individuals under the age of 18), and holds a minimum of 1:1 CBD-THC ratio. Additionally, patients obtaining this oil would have to register with the Department of Public Health and obtain a medical marijuana registration card; and that resources would be allocated through the budget to allow GBI to test the product should law enforcement officers wish to do so.
<u>HB8</u>	A BILL to be entitled an Act to amend Chapter 4 of Title 34 of the Official Code of Georgia Annotated, relating to minimum	(1) Brooks, Tyrone 55th	HC:	Jan/14/2015 - House Second Readers	HB 8 – Rep. Tyrone Brooks (D-Atlanta) proposed this initiative to amend O.C.G.A. § 34-4-3 to provide for "substantive and comprehensive reform" of the provisions

Page 4 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	wage, so as to provide for a substantive and comprehensive reform of provisions regarding the minimum wage law; to provide for legislative findings; to provide for an increase in the minimum wage; to provide for annual minimum wage increases to match the rising cost of living; to provide a credit toward the minimum wage for employers of tipped workers; to eliminate various eligibility exemptions from the minimum wage; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.				regarding the minimum wage law. Among the proposals would include the requirement that employers pay all covered employees a minimum wage of not less than \$6.20 per hour for each hour worked (current law is \$5.15 per hour). There is also a "tip credit" for employers of employees who meet the eligibility requirements under the federal Fair Labor Standards Act, 29 U.S.C. Section 203(t), of up to 50 percent of the minimum wage. It also has exceptions where this chapter applies, like current law, and includes one for "any individual who is employed by a nonprofit child-caring institution or long-term care facility serving children or mentally disabled adults who are enrolled in such institution, if such employee resides in such facilities, receives without cost board and lodging from such institution, and is compensated on a cash basis at an annual rate of not less than \$15,000.00 (current law places this amount at \$10,000.00).
<u>HB9</u>	A BILL to be entitled an Act to	(1) Brooks, Tyrone 55th	НС:	Jan/14/2015 - House	HB 9 – Rep. Tyrone Brooks (D-Atlanta)

Page 5 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to labor and industrial relations, so as to provide that it shall be unlawful for any employer to include on an application for employment a question inquiring whether the applicant has ever been arrested for, charged with, or convicted of any crime; to provide for exceptions; to provide that such information may be sought during the first interview with the applicant; to provide that the criminal history records of an applicant may be sought after the first interview with the applicant; to repeal conflicting laws; and for other purposes.			Second Readers	authored this initiative adding a new Code Section at O.C.G.A. § 34- 1-8, regarding labor and industrial relations, so that it will be unlawful for any employer on an application for employment to question an applicant inquiring whether he or she has ever been arrested for, charged with, or convicted of any crime (except for law enforcement agency positions or other positions related to law enforcement agencies). Further, there are some additional exceptions including whether a federal or state law or regulation creates a mandatory or presumptive disqualification from employment based upon a person's conviction of one or more specified criminal offenses then the employer may include such a question or otherwise inquire if the applicant has been convicted of any such offenses; if a standard fidelity bond or an equivalent bond is required for the position and that person's conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such bond then the employer may inquire; an employer may also ask

Page 6 of 34

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					if an applicant for information about his or her criminal convictions at the first interview or thereafter, in accordance with all applicable State and federal laws; and an employer may seek to obtain the criminal history records of any applicant per O.C.G.A. § 35-3-34 after the first interview of such applicant is conducted.
<u>HB10</u>	A BILL to be entitled an Act to amend Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the uniform rules of the road, so as to provide that only hands-free telephone calls shall be conducted by a driver of a motor vehicle; to provide for exceptions; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Mayo, Rahn 84th	HC:	Jan/15/2015 - House Hopper	Rep. Rahn Mayo (D-Decatur) offered this bill, which proposes to revise O.C.G.A § 40-6-241 relating to the exercise of due care by drivers while operating a motor vehicle by adding subsection (a) to provide that only hands-free telephone calls shall be conducted by a driver of a motor vehicle unless (d) a person is calling during an emergency situation.
<u>HB34</u>	A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the	(1) Dudgeon, Mike 25th	HC:	Jan/15/2015 - House Hopper	Rep. Mike Dudgeon (R-Johns Creek) authored this proposal which is titled the "Georgia Right to Try Act." It would amend Title 31 to add a new chapter (50) addressing

Page 7 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	"Georgia Right to Try Act"; to provide for investigational drugs, biological products, and devices for patients with advanced illnesses; to provide for a short title; to provide for legislative findings; to provide for definitions; to provide for eligibility criteria; to provide for written informed consent; to allow manufacturers to make such drugs available; to provide that health benefit coverage is not mandatory; to prohibit sanctions against a physician's license; to prohibit blocking access; to provide for related matters; to repeal conflicting laws; and for other purposes.				investigational drugs, biological products, and devices for patients with advanced illnesses should be made available despite prior approval from the FDA. Written informed consent shall be required and should include a description of the product and treatments for the advanced illness which the patient suffers, as well as a description of the potential best and worst outcomes of using the investigational drug, biological product, or device and a realistic description of the most likely outcome, among others. Additionally, the Georgia Composite Medical Board shall not revoke, suspend, sanction, fail to renew, or take any action against a physician's license solely based on such physician's recommendation, prescription, or treatment of an eligible patient with an investigational drug, biological product, or device (O.C.G.A. § 31-50- 8) -
<u>HB47</u>	A BILL to be entitled an Act to amend Code Section 26-4-80 of the Official Code of Georgia Annotated, relating to dispensing	(1) Cooper, Sharon 43rd	НС:	Jan/14/2015 - House First Readers	Rep. Sharon Cooper (R-Marietta) authored this proposal in O.C.G.A. § 26-4-80(f) relating to the dispensing of prescription drugs. It would authorize certain refills of topical

Page 8 of 34

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	prescription drugs, so as to authorize certain refills of topical ophthalmic products under certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.				ophthalmic products to prevent "unintended interruptions in drug therapy." Further, it states: 1. A pharmacist shall be authorized, without obtaining subsequent authorization from the practitioner or obtaining a new prescription from the practitioner, to permit refills at 70 percent of the predicted days of use; and 2. A physician shall be permitted to authorize refills earlier than 70 percent of the predicted days of use for patients who have continual difficulty with inadvertent wastage. The change, though, would "apply to refills purchased through retail pharmacies and mail order sources."
<u>HB53</u>	A BILL to be entitled an Act to amend Chapter 22 of Title 31 of the Official Code of	(1) Waites, Keisha 60th	HC:	Jan/14/2015 - House First Readers	Rep. Keisha Waites (D-Atlanta) has proposed changes to O.C.G.A. § 31-22-9.2 regarding a person's consent to the

Page 9 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	Georgia Annotated, relating to clinical laboratories, so as to provide that a person consenting to the provision of medical or surgical care by a health care provider operates as consent for such provider to perform an HIV test; to provide for withdrawal of consent for an HIV test; to provide for related matters; to repeal conflicting laws; and for other purposes.				provision of medical or surgical care by a healthcare provider and the consent that such provider can perform an HIV test. It would also require that unless exempted, a person, at his or her own election, "may withdraw consent and refuse an HIV test; provided, however, that such withdrawal of consent and refusal is made at the time of each instance where any body fluid that could be used for an HIV test are withdrawn from such person's body and, provided further, that such health care provider shall render counseling to such person at the time of such person's withdrawal of consent and refusal." It does leave in place that such provisions will not apply to emergency or life-threatening situations or if the person is required to submit to an HIV test pursuant to O.C.G.A. § 17-10-15, O.C.G.A. § 31-17-4.2, O.C.G.A. § 31-17-4.2, O.C.G.A. § 42-5-52.1 or O.C.G.A. § 42-9-42.1.
<u>HB92</u>	A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of	(1) Benton, Tommy 31st	HC: Industry and Labor	Jan/28/2015 - House Second Readers	Rep. Tommy Benton (R – Jefferson) has proposed allowing employees, at O.C.G.A. § 34-1-8, to use sick leave for the care of

Page 10 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	Georgia Annotated, relating to general provisions relative to labor and industrial relations, so as to allow employees to use sick leave for the care of immediate family members; to provide for definitions; to provide for conditions to take leave; to provide that retaliatory actions are unlawful; to provide for related matters; to repeal conflicting laws; and for other purposes.				immediate family members. An immediate family member is defined as an employee's child, spouse, grandchild, grandparent, or parent or any dependents as shown in the employee's most recent tax return. Sick leave time must be earned and any employee who uses sick leave shall comply with the terms of the employer's sick leave policy.
<u>HB105</u>	A BILL to be entitled an Act to amend Code Section 31-12-3.2 of the Official Code of Georgia Annotated, relating to meningococcal disease vaccinations and disclosures, so as to revise provisions regarding vaccination against meningococcal disease of college students; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Wilkinson, Joe 52nd	HC: Health & Human Services	Jan/29/2015 - House Second Readers	Rep. Joe Wilkinson (R-Atlanta) introduced this proposed change in O.C.G.A. § 31-12-3.2(b) concerning meningococcal disease and those vaccinations and disclosures. It would revise what is required to be done with respect to college students. The proposal would require that any vaccination and disclosure requirements follow recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and would further require that any newly admitted students who are 18 and older residing in campus housing be required to sign a

Page 11 of 34

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					document provided by the postsecondary educational institution stating that he or she has received a vaccination against meningococcal disease not more than five years prior to admittance to that institution or has reviewed information provided about the disease.
<u>HB106</u>	A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to revise what constitutes part of the state highway system; to provide for the appropriation of funds to the Department of Transportation; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for submission of electronic accident reports by law enforcement agencies; to repeal conflicting laws; and for other purposes.	(1) Roberts, Jay 155th	HC: Transportation	Jan/29/2015 - House Second Readers	Rep. Jay Roberts (R-Ocilla) offered this Title 32 proposal concerning laws governing Georgia's highways, bridges and ferries. It would specifically address the State's highway system and those requirements – striking in O.C.G.A. § 32-4-20(5), which is a current requirement to be considered, that a public road "serves as part of a programmed road improvement project plan in which the department will utilize state or federal funds for the acquisition of rights of way." Other revisions include addressing O.C.G.A. § 32-5-2, relating to the appropriation of funds to the Department of Transportation so that it would now read: "All federal funds received by the state treasurer under Code Section 32-5-1 are continually appropriated to the department for the

Page 12 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					purpose specified in the grants of such funds except as such funds may be directed by the federal government to the State Road and Tollway Authority."
<u>HB117</u>	A BILL to be entitled an Act to amend Chapter 8 of Title 34 of the O.C.G.A., relating to employment security, so as to change certain provisions relating to employment security; to modify the definition of the term "most recent employer"; to amend Code Section 50-36-1 of the O.C.G.A., relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, so as to provide a method for such verification of lawful presence that may be utilized in conjunction with the electronic filing of an application for unemployment insurance with the	(1) Hamilton, Mark 24th	HC: Industry and Labor	Jan/29/2015 - House Second Readers	Rep. Mark Hamilton (R-Cumming) offered this initiative relating to "employment security." It adds language to current law at O.C.G.A. § 34-8-43 concerning the most recent employer (the last employer for whom an individual worked in claiming benefits with years that begin on or after July 1, 2015). It further proposes deleting and adding new language at O.C.G.A. § 34-8-157 concerning the charging of regular benefits paid against experience rating account.

Page 13 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	Department of Labor; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.				
<u>HB119</u>	A BILL to be entitled an Act to amend Code Section 24-12-21 of the Official Code of Georgia Annotated, relating to disclosure of AIDS confidential information, so as to change provisions relating to disclosure of such information under certain circumstances; to provide for procedure; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Reeves, Bert 34th	HC: Judiciary	Jan/29/2015 - House Second Readers	Rep. Bert Reeves (R-Marietta) introduced this amendment to O.C.G.A. § 24-12-21 regarding the disclosure of AIDS confidential information in Georgia's Evidence Code. It would add that AIDS confidential information shall be disclosed as medical information, per O.C.G.A. § 24-12-1, or pursuant to any other law which either authorizes or requires such disclosure of medical information if the person identified in the information: "is suspected by being mentally ill and is the subject of an order issued pursuant to Code Section 37-3-41 when the court issuing such order finds in an in camera hearing by clear and convincing evidence a compelling need for the information which cannot be accommodated by other means. In assessing compelling need, the court shall weigh the public health, safety, or welfare needs or any other public or private need for the disclosure against the

Page 14 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					privacy interest of the person identified by the information and the public interest which may be disserved by disclosures which may deter voluntary HIV tests. If the court determines that disclosure of that information is authorized under this subparagraph, the court shall order that disclosure and impose appropriate safeguards against any unauthorized disclosure. The records of that hearing otherwise shall be under seal."
<u>HB138</u>	A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions regarding labor and industrial relations, so as to prohibit employers from requesting username, password, or other means of accessing an account or service for the purpose of accessing personal social media through an electronic communications device of employees or prospective employees with certain exceptions; to provide for penalties;	(1) Dawkins- Haigler, Dee 91st	HC: Industry and Labor	Jan/29/2015 - House First Readers	Rep. Dee Dawkins-Haigler (D-Lithonia) introduced this proposal to create the "Social Media Privacy Protection Act" by adding language to create a new Code Section at O.C.G.A. § 34-1-8. It would prohibit employers from requesting of employees or prospective employees their username, password, or other means of accessing an account or service for the purpose of accessing personal social media through an electronic communications device. There are some exceptions outlined and would protect certain employer's rights (e.g., when relevant to an investigation of allegations of an employee's misconduct or

Page 15 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.				violations of laws/regulations or when the employer's computer or information systems were used).
<u>HB141</u>	A BILL to be entitled an Act to amend Chapter 8 of Title 34 of the O.C.G.A., relating to employment security, so as to provide that the Commissioner of Labor may establish a self-employment assistance program; to change certain provisions relating to withdrawals from the Unemployment Trust Fund for expenditures under the "Employment Security Law"; to change certain provisions relating to benefits to be paid pursuant to rules and regulations prescribed by the Commissioner; to change certain provisions relating to the procedure for judicial review of final decisions of the Board of Review of the Department of Labor; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Fludd, Virgil 64th	HC: Industry and Labor	Jan/29/2015 - House First Readers	Rep. Virgil Fludd (D-Tyrone) introduced this legislation which would create a new Article II in Chapter 8 of Title 34, relating to employment security. The legislation intends to help individuals who are trying to establish a new business or become self-employed. It would allow the Commissioner of Labor to establish a self-employment assistance program and establish the maximum allowable amount of weekly self-employment assistance. Further, it outlines the determination of eligibility and amount which could be paid (it would allow the weekly amount of self-employment assistance allowance payable to an individual to be equal to the weekly benefit amount for regular benefits under O.C.G.A. § 34-8-193).

Page 16 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
<u>HB145</u>	A BILL to be entitled an Act to amend Article 10 of Chapter 2 of Title 20, Title 36, and Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to contracts and purchases by public schools, local government, and general authority, duties, and procedure relative to government purchasing, respectively, so as to modify provisions relating to contractual and purchasing preferences for Georgia service providers and certain supplies, materials, equipment, and agricultural products grown, manufactured, or produced in this state; to provide for a short title; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.	(1) Beverly, James 143rd	HC: Agriculture & Consumer Affairs	Jan/29/2015 - House First Readers	Rep. James Beverly (D—Macon) authored this legislation referred to as the "Georgia Jobs Matter Act" to amend O.C.G.A. § 20-2-500 relating to promulgation of rules and regulations by the State Board of Education for contracts and purchases over \$100. The bill adds language to require all requests for competitive bids issued by local schools or school districts, local government, any state, department, agency, or commission, and any state or local authority to be accompanied by an employment impact statement, which would include (A) the number of jobs expected to be created or retained in the state that might otherwise be lost if the contract is awarded to another contractor; (B) The number of jobs expected to be created or retained in the state that might otherwise be lost if the contract is awarded to another contractor by the subcontractors expected to be used by the contractor in the performance of the contract; and (C) A guarantee from the contractor that, as a condition of such contract, the jobs created or retained in this state shall not be moved outside of this state during the

Page 17 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					duration of the contract. Additionally, O.C.G.A. § 50-5-62 shall be revised to require that the Department of Administrative Services, in awarding all contracts, shall give preference to (1) sellers of products produced, grown, or manufactured in Georgia; (2) sellers who maintain a business located in Georgia; (3) providers of services who are located in the state to promise as a condition of any such contract to continue to remain in the state for the duration of the contract; (4) and any business that promises to employ residents of Georgia for the purposes of satisfying the terms of the contract to promise to continue such employment throughout the duration of the contract.
<u>HB155</u>	A BILL to be entitled an Act to amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to the control of hazardous conditions, preventable diseases, and metabolic disorders, so as to require registration with the vaccination registry by persons	(1) Randall, Nikki 142nd	HC: Health & Human Services	Jan/29/2015 - House First Readers	Rep. Nikki T. Randall (D Macon) authored this legislation to revise subsection (b) of O.C.G.A. § 31-12-3.1 by adding two new subsections. The first, (a.1), would require any person and every pharmacy, agency, or business employing a person who administers vaccines licensed by the FDA to register with the vaccination registry.

Page 18 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	who administer vaccines and by pharmacies, agencies, or businesses employing persons who administer vaccines; to amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, so as to provide that certain pharmacists and nurses who enter into an influenza vaccine protocol agreement with a physician shall register with the vaccination registry; to provide for related matters; to repeal conflicting laws; and for other purposes.				Failure to register may result in prohibition of a person, pharmacy, agency or business to administer vaccines.
<u>HB195</u>	A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide for substitutions of interchangeable biological products; to define certain terms; to provide for requirements and limitations; to provide for related	(1) Cooper, Sharon 43rd	HC: Health & Human Services	Feb/04/2015 - House Second Readers	Rep. Sharon Cooper (R—Marietta) brings the House version of the biosimilar drug substitution bill in O.C.G.A.§ 26-4- 5. Similar to SB 51, this version defines biological products and interchangeable biological product and permits the substitution by a dispensing pharmacist of the interchangeable product for the biological one unless a physician instructs that no substitution be made. The

Page 19 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	matters; to repeal conflicting laws; and for other purposes.				bill requires labeling the substituted product as such and notification to the prescribing physician that the substitution has occurred. Unlike the Senate bill, this version requires this notice to occur within 48 hours of the dispensing of the product. The bio similar drug with the lowest retail price is required to be substituted.
<u>HB211</u>	A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I, III, and IV controlled substances; to change certain provisions relating to the definition of "dangerous drug"; to revise provisions relating to labeling prescription containers of dangerous drugs; to provide for an effective date; to repeal conflicting laws; and for other purposes.	(1) Broadrick, Bruce 4th	HC: Judiciary Non-Civil	Feb/04/2015 - House First Readers	Rep. Bruce Broadrick (R-Dalton) proposes to amend Chapter 13 of Title 16 relating to controlled substances. This bill changes provisions relating to Schedules I, III, and IV controlled substances. This is the dangerous drug update. Additionally, under O.C.G.A. § 16-13-73, language has been amended to require the name of the 'practitioner' instead of 'physician' to appear on the container of the prescribing drug from the pharmacy.

Page 20 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
HB237	A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income tax, so as to extend the angel investor tax credit; to repeal conflicting laws; and for other purposes.	(1) Williamson, Bruce 115th	HC:	Feb/04/2015 - House Hopper	Rep. Bruce Williamson (R-Monroe) seeks to amend O.C.G.A. §48-7- 40.30 and the imposition, rate and computation of and exemptions from State income tax so as to extend Georgia's angel investor tax credit. Current law permits the qualified investments through 2015 and this change would allow those to be made in years 2016, 2017, 2018, 2019 and 2020 with a tax credit of 35 percent of the amount invested against the tax imposed. There are limits posed for qualified investors or pass-through entities for such investments in the proposal (not to exceed \$5 million in each such year).
<u>HB285</u>	A BILL to be entitled an Act to amend Code Section 48-7-40.26 of the Official Code of Georgia Annotated, relating to an income tax credit for film, video, or digital production in Georgia, so as to change certain qualifications for such credit; to provide for related matters; to provide for an effective date; to repeal conflicting	(1) Stephens, Ron 164th	HC: Ways & Means	Feb/12/2015 - House Second Readers	Rep. Ron Stephens (R-Savannah) amends O.C.G.A. § 48-7-40.26 relating to income tax credit for film, video, or digital production in Georgia. Paragraph (5) is amended by striking language pertaining to postproduction expenditures for footage shot outside of the state. Under (8)(c), the tax credit shall be allowed if the base investment in this state quals or exceeds \$250,000 for qualified production activities. This

Page 21 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	laws; and for other purposes.				number has been reduced from \$500,000.
<u>HB287</u>	A BILL to be entitled an Act to amend Chapter 7 of Title 19 of the O.C.G.A., relating to the parent and child relationship generally, so as to provide for definitions; to provide that it shall be unlawful for any person or entity to intentionally or knowingly create or attempt to create an in vitro human embryo by any means other than fertilization of a human egg by a human sperm; to provide for related matters; to provide for a short title; to provide an effective date; to repeal conflicting laws; and for other purposes.	(1) Kirby, Tom 114th	HC: Judiciary	Feb/12/2015 - House Second Readers	Rep. Tom Kirby (R-Loganville) has authored this legislation to enact the "Ethical Treatment of Human Embryos Act." By amending Chapter 7 of Title 19 to add new article 19-7-60 to define a variety of terms, including 'gamete', 'human animal hybrid,' and 'human embryo.' Additionally, under new article 19-7-61, it shall be unlawful for any person or entity to intentionally or knowingly create or attempt an in vitro human embryo or by any means other than fertilization of a human egg by a human sperm. It would be unlawful to create or attempt to create a human-animal hybrid.
HR121	A RESOLUTION recognizing and commending the American Heart Association's Go Red For Women movement and recognizing February 6, 2015, as National Wear Red Day; and for other purposes.	(1) Dempsey, Katie 13th	HC:	Jan/28/2015 - House Read and Adopted	Rep. Katie Dempsey (R–Rome) authored this Resolution recognizing and commending the American Heart Association's Go Red for Women movement and recognizing February 6, 2015 as National Wear Red Day.

Page 22 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
<u>SB15</u>	A BILL to be entitled an Act to amend Chapter 4 of Title 34 of the Official Code of Georgia Annotated, relating to minimum wage, so as to provide for a substantive and comprehensive reform of provisions regarding the minimum wage law; to provide for an increase in the minimum wage; to provide for annual minimum wage increases to match the rising cost of living; to provide a credit toward the minimum wage for employers of tipped workers; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.	(1) James, Donzella 35th	SC:	Jan/12/2015 - Senate Hopper	SB 15 – Sen. Donzella James (D-Atlanta) offered this change to O.C.G.A. § 34-4-3 to raise the minimum wage for covered employees from not less than \$5.15 to \$10.10 per hour for each hour worked and to provide that the annual minimum wage increase to match the rising cost of living. In subsection (b), it provides employers of employees who meet the eligibility requirements for the "tip credit" under the federal Fair Labor Standards Act, 29 U.S.C. Section 2023(t), to credit tips towards satisfaction of up to 50 percent of the minimum wage.
<u>SB19</u>	A BILL to be entitled an Act to amend Code Section 34-8-35 of the Official Code of Georgia Annotated, relating to the definition of employment applicable to the "Employment Security Law," so as to change certain	(1) Orrock, Nan 36th	SC:	Jan/12/2015 - Senate Hopper	SB 19 – Sen. Nan Orrock (D-Atlanta) authored this initiative amending the definition of employment applicable to the "Employment Security Law" found at O.C.G.A. § 34-8-35(f). It would allow that services performed by an individual for wages shall be deemed to be employment "subject to

Page 23 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	provisions of such definition in order to provide that services performed by an individual for wages shall be deemed to be employment unless the Department of Labor makes a contrary determination based upon evidence submitted of certain factors demonstrating that such individual has been and will continue to be free from control or direction over the performance of such services; to provide for related matters; to repeal conflicting laws; and for other purposes.				this chapter unless and until it is shown that such individual has been and will continue to be free from control or direction over the performance of such services both under the individual's contract of services and in fact, as demonstrated by evidence timely submitted to the department upon which department determines" various factors of that individual's performance (e.g. is not prohibited from working for other companies or holding other employment contemporaneously; is not prescribed minimum hours to work, or, in the case of sales, does not have a minimum number of orders to be obtained; receives only minimal instructions and no direct oversight or supervision regarding services to be performed; etc.).
<u>SB35</u>	A BILL to be entitled an Act to amend Code Section 16-5-70 of the Official Code of Georgia Annotated, relating to cruelty to children, so as to provide that leaving certain children in vehicles under certain circumstances constitutes cruelty to	(1) James, Donzella 35th	SC: Judiciary Non-Civil	Jan/26/2015 - Senate Read and Referred	This bill, proposed by Sen. Donzella James (D- Atlanta), provides that leaving certain children in cars while unsupervised will be constituted as cruelty to children in the third degree. The child must be under the age of 6 and not be supervised by anyone over the age of 13.

Bill	Summary	Sponsor	Committees	Status	Analysis
	children in the third degree; to provide for related matters; to repeal conflicting laws; and for other purposes.				
<u>SB38</u>	A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for the authorization of appropriations for the purposes of obtaining federal financial participation for medical assistance payments to providers of Medicaid expansion under the federal Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010; to provide for certain restrictions; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Fort, Vincent 39th	SC: Appropriations	Jan/26/2015 - Senate Read and Referred	This bill, proposed by Sen. Vincent Fort (D- Atlanta), authorizes appropriations with the purpose of obtaining federal funding for medical assistance payments to providers of Medicaid expansion under the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Ac of 2010, so long as the federal government provides a minimum of 90 percent of the funding.
<u>SB40</u>	A BILL to be entitled an Act to amend Chapter 1 of Title 31 of the O.C.G.A., relating to general provisions	(1) Fort, Vincent 39th	SC: Government Oversight	Jan/26/2015 - Senate Read and Referred	This bill repeals the provision that prohibits the use of money or assets of the State of Georgia to advocate or intend to influence Georgia citizens

Page 25 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	relative to health, so as to repeal Code Section 31-1-40, relating to prohibition on expenditure or use of moneys, human resources, or assets of the State of Georgia to advocate or intended to influence the citizens of this state in support of the voluntary expansion by the state of eligibility for medical assistance in furtherance of the federal Patient Protection and Affordable Care Act; to amend Chapter 1 of Title 33 of the O.C.G.A., relating to general provisions regarding insurance, so as to repeal Code Section 33-1-23; to repeal conflicting laws; and for other purposes.				to support the voluntary expansion by the state of eligibility for medical assistance in furtherance of the federal Patient Protection and Affordable Care Act.
<u>SB42</u>	A BILL to be entitled an Act to amend Code Section 34-8-194 of the Official Code of Georgia Annotated, relating to grounds for disqualification of benefits, so as to provide that leaving an employer due to family violence shall establish good cause	(1) Butler, Gloria 55th	SC: Insurance and Labor	Jan/26/2015 - Senate Read and Referred	This bill, proposed by Sen. Gloria Butler (D- Stone Mountain) provides that leaving an employer due to family violence shall establish good cause in connection with a claim for unemployment benefits. There must be reasonable documentation demonstrating that the employee is receiving

Bill	Summary	Sponsor	Committees	Status	Analysis
	in connection with a claim for unemployment benefits; to provide that an employer's account shall not be charged for the payment of such benefits; to provide for definitions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.				services from a family violence shelter.
<u>SB43</u>	A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to labor and industrial relations, so as to change certain provisions relating to an employer's obligation to provide time for an employee to express breast milk for an infant child; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) James, Donzella 35th	SC: Insurance and Labor	Jan/26/2015 - Senate Read and Referred	Proposed by Sen. Donzella James (D-Atlanta), this would now require employers to provide reasonable unpaid break time each day for an employee who needs to express breast milk for an infant child. The employer must make reasonable efforts to provide an appropriate location that is shielded from view and free from intrusion and must include access to an electrical outlet.
<u>SB51</u>	A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated,	(1) Burke, Dean 11th	SC: Health and Human Services	Jan/26/2015 - Senate Read and Referred	Sen. Dean Burke (R – Bainbridge) has proposed to amend O.C.G.A. Chapter 4 of Title 26 to define "biological products" and

Page 27 of 34

Bill Summary Sponsor Committees Status Analysis
relating to pharmacists and pharmacists and pharmacies, so as to provide for substitutions of interchangeable biological products for interchangeable biological products; to define certain terms; to provide for requirements and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes. The bill adds the products and their interchangeable biological medic and for other purposes. The bill adds the permit substitution of bio sin meds for the brand na patented "biological products" approved b FDA. The bill adds the products and their interchangeable bio similar ones to the substitution permissis in O.C.G.A. 264-81, tracking the language the substitution of get drugs for brand name ones. It requires that dispensing pharmacis notify the prescribing physician of any substation in a reason time and by various electronic, fax, or telephonic means, und the substitution is not approved bio similar product. The bill per a prescribing physicia patent to instruct the pharmacist that substitution is not permitted to a scrip a substitution is not permitted and the products and the substitution is not permitted to a scrip a substitution is not permitted to a scrip a substitution is no

Page 28 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					on the label for the bio similar product.
<u>SB52</u>	A BILL to be entitled an Act to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to disclosure of public records, so as to clarify that certain tax credits and exemptions are subject to disclosure; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Fort, Vincent 39th	SC: Finance	Jan/27/2015 - Senate Read and Referred	Sen. Vincent Fort (D-Atlanta) proposed this initiative to amend O.C.G.A. § 50-18-72, clarifying tax credits and exemptions which are subject to public disclosure. Specifically, his language states that records relating to tax credits or tax exemptions granted to individuals or businesses under Georgia law would not be subject to disclosure – when it relates to tax matters or tax information under State or federal law. However, the documents maintained by the Department of Economic Development relating to an economic development project, until it is secured by binding commitment, requires that such be disclosed upon proper request – after a binding commitment has been secured or the project has been terminated. Sen. Fort added, though, that document subject to disclosure under paragraph (46) of O.C.G.A. § 50-18-72(a) would include all documents relating to tax credits or tax exemptions granted to individuals or businesses under State law.

Page 29 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
<u>SB53</u>	A BILL to be entitled an Act to amend an Act relating to mental health and authorizing a licensed professional counselor to perform certain acts, Act No. 546, approved April 21, 2014 (Ga L. 2014, p. 347), so as to revise a sunset provision; to provide for an effective date; and for other purposes.	(1) Kirk, Greg 13th	SC: Health and Human Services	Jan/27/2015 - Senate Read and Referred	Sen. Greg Kirk (R-Americus) offered this proposal to remove the sunset provision included in Act Number 546 (SB 65 by Sen. Renee Unterman (R-Buford)) passed in 2014. That legislation, as passed last year and signed into law, permitted licensed professional counselors to perform emergency examinations of persons who are mentally ill or alcoholic or drug dependent in O.C.G.A. § 37-3-41 and O.C.G.A. § 37-3-41(d) but that such permission was only granted through March 15, 2015 when the Act would be repealed. This legislation would extend that sunset from March 15, 2015 to June 30, 2018.
<u>SB66</u>	A BILL to be entitled an Act to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to create the Governor's Task Force on Blind and Visually Impaired Persons; to provide for membership; to provide for duties; to provide for related matters; to repeal	(1) Jackson, Lester 2nd	SC: Health and Human Services	Feb/02/2015 - Senate Read and Referred	Sen. Lester Jackson (D-Savannah) authored a proposed new Chapter 11 in Title 30 to create the Governor's Task Force on Blind and Visually Impaired Persons. It would be a seven-member Task Force that would investigate how State services and initiatives can be developed or improved for blind and visually impaired persons (such as their mobility and access, education,

Bill	Summary	Sponsor	Committees	Status	Analysis
	conflicting laws; and for other purposes.				etc.). The Task Force would be required to submit suggestions for legislation on or before November 1 annually.
<u>SB74</u>	A BILL to be entitled an Act to amend Titles 31 and 48 of the Official Code of Georgia Annotated, relating to health and revenue and taxation, respectively, so as to establish charity care organizations to provide health care services to the uninsured in this state; to provide for definitions; to provide for tax credits for contributions to charity care organizations; to provide for the amount, nature, limits, and procedures for such tax credits; to provide for related matters; to repeal conflicting laws; and for other purposes.	(1) Hill, Judson 32nd	SC: Finance	Feb/02/2015 - Senate Read and Referred	Sen. Judson Hill (R-Marietta) has proposed to add a new Code Section to Article 1 of Chapter 8 of Title 31, relating to hospital care for the indigent. O.C.G.A. § 31-8-9.1 is added to this bill to (a) define 'charity health care organization' to mean a nonprofit corporation supporting ten or more charity health care services to the uninsured and qualified as exempt from federal income taxation; and (b) have the department approve and maintain a list of charity health care organizations eligible for the purposes of the charity health care tax credit. O.C.G.A. § 48-7-29.20 is also added under this legislation, relating to imposition, rate, and computation of income taxes and exemptions.
<u>SR53</u>	A RESOLUTION recognizing January 20, 2015, as Multi-Agency Alliance for Children Day at the state capitol; and for other purposes.	(1) Orrock, Nan 36th	SC:	Jan/26/2015 - Senate Read and Adopted	Sen. Nan Orrock (D-Atlanta) authored this Resolution to recognize Multi-Agency Alliance for Children and their Day at the State's Capitol on January 20, 2015. This

Page 31 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					agency was formed in 1996, serving children from all parts of Georgia by providing behavioral health services who are troubled or difficult children, have been in numerous out-of-home placements or are in State custody.
<u>SR56</u>	A RESOLUTION recognizing January 28, 2015, as Autism Awareness Day at the state capitol; and for other purposes.	(1) Albers, John 56th	SC:	Jan/26/2015 - Senate Read and Adopted	Sen. John Albers (R-Roswell) offered this Resolution to recognize January 28, 2015 as "Autism Awareness Day" at the State Capitol. Autism is four to five times more common in boys than in girls. 1 of 42 boys diagnosed with autism spectrum disorders where as 1 in 189 girls receive such diagnoses.
<u>SR65</u>	A RESOLUTION creating the Senate Special Tax Exemption Study Committee; and for other purposes.	(1) Jones II, Harold 22nd	SC: Government Oversight	Jan/27/2015 - Senate Read and Referred	Sen. Harold V. Jones, II (D-Augusta) authored this Resolution to create a six- member Senate Special Tax Exemption Study as Georgia has long used as economic development tools various tax credits to attract and retain businesses. This Study Committee is proposed to "work with independent researchers at the State's research universities to undertake a study of tax records in order to analyze and examine existing economic development tax credits to determine

Page 32 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
					whether employers receiving the credits are actually creating jobs at a higher rate than those that do not receive the tax credits and recommend any action or legislation which the committee deems necessary or appropriate." The Study Committee would make a report on its findings and/or recommendations.
<u>SR69</u>	A RESOLUTION commending science, technology, engineering, and math (STEM) and recognizing May 8, 2015, as Georgia STEM Day at the state capitol; and for other purposes.	(1) Albers, John 56th	SC:	Jan/27/2015 - Senate Read and Adopted	Sen. John Albers (R – Roswell) proposed this resolution that recognizes May 8, 2015 as Georgia STEM Day at the state capitol. STEM education is recognized as being fundamental to the success of our future workforce. Nearly 211,000 technology jobs are projected to exist in Georgia by 2018, so fostering student interest in STEM careers is very important.
<u>SR72</u>	A RESOLUTION commending Don Graham; and for other purposes.	(1) Jones, Burt 25th	SC:	Jan/27/2015 - Senate Read and Adopted	Sen. Burt Jones (R – Jackson). This resolution's purpose is to encourage the development of minority owned plasma centers. The resolution claims there are no plasma collection centers in the United States owned by an African American. The hope is that this will encourage the US plasma industry to open its

Bill	Summary	Sponsor	Committees	Status	Analysis
					markets and allow equal opportunity for minorities to participate.
SR104	A RESOLUTION commending Georgia Bio for the advancements it has made in the life sciences industry and for the impact it has on this state's economy; and for other purposes.	(1) Tippins, Lindsey 37th	SC:	Jan/29/2015 - Senate Read and Adopted	Sen. Lindsey Tippins (R–Marietta) authored this Resolution commending Georgia Bio for the advancements it has made to the life sciences industry and for the impact it has on this state's economy.
<u>SR113</u>	A RESOLUTION creating the Senate Entrepreneur in Residence Study Committee; and for other purposes.	(1) Hill, Judson 32nd	SC: Economic Development and Tourism	Feb/02/2015 - Senate Read and Referred	Sen. Judson Hill (R-Marietta) authored this Resolution to create the Senate Entrepreneur in Residence Study Committee to look at ways in which to establish an entrepreneur in residence program which would place experienced entrepreneurs in government for limited periods of time to help identify and resolve problem areas slowing down entrepreneurs from creating jobs and bringing new products to market. This Committee would be composed of six members of the Senate and the chairpersons of the Senate Economic Development Committee and the Science and Technology Committee.
<u>SR114</u>	A RESOLUTION creating the Joint Entrepreneur in	(1) Hill, Judson 32nd	SC: Economic Development and Tourism	Feb/02/2015 - Senate	Sen. Judson Hill (R- Marietta) has proposed this Resolution creating

Page 34 of 34

Bill	Summary	Sponsor	Committees	Status	Analysis
	Residence Study Committee; and for other purposes.			Read and Referred	the Joint Entrepreneur in Residence Study Committee. The Committee would be composed of six members, three House members and three Senate members.