

Week 2 of the 2016 Legislative Session was dominated by House and Senate joint budget hearings, where they considered the FY 2016 and FY 2017 State budgets. In this report, I have included summaries of hearings held by the Joint Health and Joint Human Development Subcommittees of Appropriations. Additionally, we will be releasing a Special Edition Report on the FY 2017 Budget, prepared by Helen Sloat, which includes an in-depth analysis of all major changes.

**News:** On Thursday afternoon, Governor Deal issued a state of emergency for 21 counties in north Georgia, due to the possibility of strong winter weather. As such, the Capitol and State agencies closed at 12:00 p.m. on Friday.

Also this week, Senator Mike Crane (R-Newnan) announced his candidacy for the 3<sup>rd</sup> Congressional District seat, which is being vacated by Congressman Lynn Westmoreland.

**Adjournment Resolution:** The House and Senate agreed on an adjournment resolution which sets the schedule through the last legislative day on March 24.

- Tuesday, February 2 – Day 14
- Wednesday, February 3 – Day 15
- Thursday, February 4 – Day 16
  
- Monday, February 8 – Day 17
- Tuesday, February 9 – Day 18
- Wednesday, February 10 – Day 19
- Thursday, February 11 – Day 20
  
- Tuesday, February 16 – Day 21
- Wednesday, February 17 – Day 22
- Thursday, February 18 – Day 23
- Friday, February 19 – Day 24
  
- Monday, February 22 – Day 25
- Tuesday, February 23 – Day 26
- Wednesday, February 24 – Day 27
- Thursday, February 25 – Day 28
- Friday, February 26 – Day 29
  
- Monday, February 29 – Day 30
  
- Wednesday, March 2 – Day 31
  
- Monday, March 7 – Day 32
- Tuesday, March 8 – Day 33
  
- Thursday, March 10 – Day 34
- Friday, March 11 – Day 35

- Monday, March 14 – Day 36
- Tuesday, March 15 – Day 37
- Wednesday, March 16 – Day 38
  
- Tuesday, March 22 – Day 39
  
- Thursday, March 24 – Day 39

**Appropriations Subcommittees:**

***House and Senate Appropriations – Joint Health Subcommittees***

The Georgia Council on Developmental Disabilities spoke in part about the need for rate enhancements for "ICWP" rates. There are three levels within this Independent Care Waiver Provider class, and Dawn Alford gave personal testimony on her own situation in trying to locate assistance with current rates paid. A group of CIS providers have also asked that the Subcommittees enhance therapy services' rates for occupational and physical therapists. Many of these providers see children in the Children's Intervention Services and Babies Can't Wait programs. It has been thirteen years since they have received a rate increase – and in many instances over that time frame, they received cuts. CCSP providers were also on hand inquiring about rates. Adult Day Health Care providers also asked for a five percent raise from these Subcommittees. Finally, Shire Pharmacy raised a question regarding one of the medications (Vyvanse®) it produces which has been removed from the State's preferred drug list and loss of the drug rebate (\$3.5 million) – it noted issues surrounding continuity of care and convenience issues as well (for parents to get children access to the medication).

***House and Senate Appropriations Committees – Human Development Subcommittees (Presentation by DPH)***

Commissioner Brenda Fitzgerald presented changes proposed by the Governor in the Department of Public Health budget. She highlighted some of the Department's work including its efforts on telehealth and explained that there were some ongoing maintenance agreements which would be added costs. The Department also intends to move its Vital Records program from its current location to a newer facility and has asked for more than \$342,000 for this move. Commissioner Fitzgerald also commented on the Low THC Oil Registry (medical cannabis) as the legislation from 2015 was signed into law in April 2015; that registry went live two months later in an electronic format. Currently, the registry has 210 physicians and 465 patients registered with most of the patients being treated for seizure disorders. Commissioner Fitzgerald reported to the Subcommittees that DPH's work on ebola and the monitoring of that disease, explaining that 2,920 Georgians had been monitored for 21 days (34 became sick but not with ebola).

**Bill Tracking:**

Bill	Committees	Status	Analysis
<u>HB19</u>	HC:	Dec/03/2014 - House Prefiled	Rep. Terry Rogers (R-Clarkesville), would amend O.C.G.A. § 40-5-100, to require the Department of Driver Services to make the name, date of birth, and most recent address of anatomical gift donation program participants available to federally designated organ procurement organizations. This information is to be used in the establishment of a state-wide organ donor registry accessible to organ tissue and eye banks. Each application for issuance, reissuance, or renewal shall include a voluntary contribution of \$1 to the Department of Public Health to be used for the purposes of preventing blindness and preserving the sight of Georgia's citizens.
<u>HB28</u>	HC:	Dec/29/2014 - House Prefiled	Rep. Ronnie Mabra (D-Fayetteville), would create O.C.G.A. § 43-34-46 to require medical patients who are prescribed Schedule II or III pain relief substances for 90 consecutive days or greater to participate in a counseling program meant to educate and advise concerning the risks of addiction to prescribed substances. Officially called "Opioid Education and Pro-Active Addiction Counseling," the program would not cost more than \$100.00 per session to the patient. HB 28 would amend O.C.G.A. § 43-2-34.
<u>HB701</u>	HC: Education	Jan/12/2016 - House Second Readers	Rep. David Casas (R-Duluth), amends O.C.G.A. § 20-2-144(a) to require that each local board of education prescribe mandatory instruction concerning alcohol and other drug use such that each local board of education provide a minimum of 12 hours of alcohol and drug use prevention curricula every year in every grade from grade three through grade 12. This instruction would be determined by the State Board of Education as it currently is done; also, now, Georgia requires such alcohol and drug use prevention instruction every year in every grade from kindergarten through the 12 <sup>th</sup> grade so this law eliminates such instruction for early grades.
<u>HB722</u>	HC: Judiciary Non-Civil	Jan/14/2016 - House Second Readers	Rep. Allen Peake (R-Macon), amends Title 31 by repealing O.C.G.A. § 31-2A-18 in order to establish a patient registry system for patients who use medical cannabis. The bill would create a new chapter at O.C.G.A. § 31-2B-1. It increases the number of qualifying medical conditions to 17, to include: Cancer (end stage); Mitochondrial disease; Parkinson's disease; Sickle cell disease; Glaucoma; Human immunodeficiency virus or acquired immune deficiency syndrome; Tourette's syndrome; Amyotrophic lateral sclerosis; Seizures; Severe muscle spasms; Crohn's disease, ulcerative colitis, or irritable bowel syndrome; Epidemolysis bullosa; Terminal illness, with probable life expectancy of under one year so long as the pain is severe or the patient has been experiencing severe nausea or cachexia; Post-

Bill	Committees	Status	Analysis
			traumatic stress disorder; Intractable pain; Autism spectrum disorder; Alzheimer's disease; or any other medical condition or its treatment approved by the commissioner.
<a href="#"><u>HB762</u></a>	HC: Judiciary	Jan/15/2016 - House Second Readers	Rep. Wendell Willard (R-Sandy Springs), relates to disposal of aborted fetuses and the reporting requirements in O.C.G.A. § 16-12-141.1(a)(2) to require that "each hospital, clinic, and laboratory shall report the manner in which it disposes of the aborted fetus. Such reports shall be made annually to the Department of Public Health by December 31 and whenever the method of disposal changes. The commissioner of public health shall provide forms for reporting under this paragraph." Further, it alters O.C.G.A. § 16-12-160 concerning the buying, selling or offering to buy or sell a human body or parts thereof and it adds in (c)(2) that "any natural person who buys or sells, offers to buy or sell, or assists another in buying or selling or offering to buy or sell an aborted human fetus or any part thereof in violation of subsection (a) of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for five years." Another change is added in O.C.G.A. § 44-5-154, "Georgia Revised Uniform Anatomical Gift Act," adding that a person, who for valuable consideration knowingly purchases or sells an aborted human fetus or a part of an aborted fetus for any purpose, is to be punished in accordance with O.C.G.A. § 16-12-160.
<a href="#"><u>HB775</u></a>	HC: Regulated Industries	Jan/21/2016 - House Second Readers	Rep. Earl Ehrhart (R-Powder Springs), amends O.C.G.A. § 31-12-12, addressing control of hazardous conditions, preventable diseases, and metabolic disorders, to provide for the restrictions on the sale and dispensing of spectacles (it does define the term "spectacles" – essentially lenses to correct or enhance vision). Further, it proposes that no person in Georgia shall write a prescription for contact lenses or spectacles except persons who are licensed and regulated by Chapter 30 or 34 of Title 43 and no person in Georgia shall write a prescription for contact lenses or spectacles unless an eye examination is performed by such person – the prescription must take into consideration any medical findings and any refractive error discovered during the eye examination.
<a href="#"><u>HB780</u></a>	HC: Health & Human Services	Jan/21/2016 - House Second Readers	Rep. Jodi Lott (R-Evans), relates to clinical laboratories and amends O.C.G.A. § 31-22-1(2) so as to exempt certain clinical laboratories from State licensure. It adds language, "The term 'clinical laboratory' shall not include laboratories which are nondiagnostic only and regulated pursuant to the federal Clinical Laboratory Improvement Amendments (CLIA)

Bill	Committees	Status	Analysis
			whose sole function is to perform examination of human blood or blood components intended as source material for the manufacture of biological products."
<u>HB783</u>	HC: Health & Human Services	Jan/21/2016 - House Second Readers	Rep. Bruce Broadrick (R-Dalton), amends Chapter 13 of Title 16 to provide for an "annual update" to Georgia's dangerous drug list relating to Schedules I and IV controlled substances. Additionally, it adds in O.C.G.A. § 16-131-71 a new subsection (b.1) to provide for the creation of a "restricted dangerous drug list." This is "any other drug or substance declared by the General Assembly to have no medical use, which cannot be legally prescribed by a practitioner, and which cannot be manufactured, grown, produced, distributed, used, or otherwise possessed in this state; to include any of the following drugs, chemicals, or substances: salts, isomers, esters, ethers, or derivatives of such drugs, chemicals, or substances which have essentially the same pharmacological action; and all other salts, isomers, esters, ethers, and compounds of such drugs, chemicals, or substances unless specifically exempted, identified as restricted dangerous drugs: (1) mitraynine; (2) 7-hydroxymitragynine; (3) genus <i>Mitragyna</i> ; (4) salvinorin A; and salvia divinorum – except as otherwise provided for in paragraph (4.3) of Code Section 16-13-72."