

Legislation on Floor of Georgia General Assembly on February 16, 2016

Rep. Don Parsons

**HB 34**, - or the "Georgia Right to Try Act - Sponsored by: Rep. Mike Dudgeon grants some terminally ill patients faster access to investigational drugs that have passed phase one in the three-phase FDA drug approval process. The bill only grants access to investigational drugs, biological products, or devices for eligible patients with terminal illnesses whose physician has recommended such a course. The process requires full voluntary cooperation from all parties as well as written informed consent whereby the patient acknowledges the risk associated with the treatment, the best and worst potential outcomes, and the costs associated with the treatment. Under HB 34, manufacturers are not required to offer the treatment and may or may not charge for the drug and health insurance companies are not required to pay for the treatment. Doctors, as well as other involved participants, are indemnified.

**HB 561**, Sponsored by: Rep. Joe Wilkinson designates the adoptable dog as the official state dog.

**HB 588**, Sponsored by: Rep. Valerie Clark seeks to further limit individuals seeking to produce methamphetamine using over-the-counter cold and allergy medications. This bill calls for an electronic logging system to be used across-the-board by pharmacies to monitor consumer purchases of over-the-counter medicines containing pseudoephedrine. This system will generate a "stop sale" alert to notify a pharmacy that a purchase of pseudoephedrine has exceeded the legal limit already in place. Customers will be required to present a valid government ID when purchasing these drugs, and pharmacies will be required to log the customer's full name, address, type of ID, product purchased, and date and time of purchase in the system. This is the same customer information currently requested upon purchase of these drugs. Currently, large chain pharmacies use an electronic logging system while smaller, independent pharmacies and grocery pharmacies use a paper logging system due to cost barriers. HB 588 will allow for participating drug companies to provide this electronic system to all pharmacies - free of all charges and transaction fees. This legislation produces no new

burdens on consumers' ability to legally obtain cold and allergy medication and imposes no new costs on our health care system. For reference, 32 other states already use similar systems - including those surrounding Georgia.

**HB 592**, Sponsored by: Rep. Brett Harrell, adds professional structural engineers and the occupation of structural engineering to the list of engineering occupations overseen by the Board of Professional Engineers and Land Surveyors. This bill would create the "Professional Engineer, Structural Engineer" or "P.S., S.E." designation within the existing engineering licensing regime.

The Board of Professional Engineers and Land Surveyors is granted the power to determine the rules and requirements for structural engineers to obtain and renew certificates of registration to practice. Minimum eligibility requirements for a certificate of registration as a professional structural engineer are determined by the type of curriculum studied at an approved school or college and include minimum work experience, certification as an engineer-in-training, and the passing of a 16 hour written exam.

This bill addresses the competitive disadvantage Georgia structural engineers face when competing for work in other states that have the P.E., S.E. designation. Experienced Georgia structural engineers are being overlooked when their "P.E." is compared against someone with a "P.E., S.E." who may have less experience. This bill does not create a new Board, regulatory agency, licensing exam, or procedure and lessens the existing regulatory burden on all other Professional Engineers.

**HB 738**, Sponsored by: Rep. Johnnie Caldwell, provides that a county law library's excess funds - as determined by its board of trustees - will be granted to charitable tax exempt organizations which provide civil legal representation for low-income people or be used to purchase software, equipment, and furnishings for the office of the district attorney or solicitor-general or for county judicial facilities such as courtrooms and jury rooms.

**HB 764**, Sponsored by: Rep. Alan Powell, requires a driver to stop to allow a pedestrian to cross within the crosswalk when a "rectangular rapid flash beacon" is activated. The bill defines a rectangular rapid flash beacon as a user-activated device with amber lights that supplements warning signals at signalized intersections or mid-block crosswalks. Should a pedestrian not intend to cross a roadway, they should not activate the device.

**HB 798**, Sponsored by: Rep. Joyce Chandler, makes several changes to eligibility requirements for both the HOPE and Zell Miller Scholarship. Specifically, it modifies Zell Miller Scholarship eligibility to require a score in the 80th percentile or higher on the ACT or SAT while maintaining the GPA requirement of at least 3.7 for students graduating from eligible high schools. For home study students and students graduating from ineligible high schools, Zell Miller eligibility is raised to require a score in the 93'd percentile or higher on the SAT or ACT. Finally, for home study students and students graduating from ineligible high schools to receive the HOPE Scholarship, they must receive scores in the 75 percentile or higher nationally on standardized college admissions tests.

**HB 853**, Sponsored by: Rep. Lee Hawkins, encourages hospitals to establish comprehensive stroke centers to provide care to patients who experience complex strokes. Additionally, this bill promotes the establishment of remote treatment stroke centers to provide treatment to patients in rural and underserved areas. Pursuant to the bill, the Department of Public Health (DPH) is authorized to establish one or more additional levels of stroke centers in consultation with the Georgia Coverdell Acute Stroke Registry. Any hospital identified as a comprehensive or primary stroke center must be certified by a national health accreditation body recognized by DPH. Additionally, remote treatment stroke centers must be identified and certified by the Department of Public Health.

**HB 871**, Sponsored by: Rep. Robert Dickey, moves the quarterly deposits associated with the collection of Georgia's "Lemon Law" consumer fees from the Governor's Office of Planning and Budget to the Department of Law. Under Georgia's Lemon Law, car dealers are required to

collect a \$3 fee from each consumer at the completion of the sale or purchase of a new motor vehicle to fund the implementation of the Lemon Law. Currently, \$2 of this fee is transmitted quarterly to OPB.

**HB 882**, Sponsored by: Rep. Darlene Taylor, eliminates the Code requirement for each foreign and alien insurer to deposit a specific amount (between \$10,000 and \$25,000) for securities eligible for capital investment and allows the amount to be determined by the commissioner which aligns with a National Association of Insurance Commissioners (NAIC) accreditation requirement.

**HB 883**, Sponsored by: Rep. Darlene Taylor, updates provisions on insurer rehabilitation and liquidations in accordance with National Association of Insurance Commissioners' (NAIC) accreditation standards and changes claims procedures for ancillary receiverships. HB 883 is a NAIC accreditation bill that allows Georgia's Department of Insurance to maintain NAIC accreditation. Georgia has maintained NAIC accreditation since the program began in the 1990s.

**HB 884**, Sponsored by: Rep. Darlene Taylor, revises the definition of "company action level event" to include a health organization with certain total adjusted capital levels and applies risk-based capital computations of a company action level event to health organizations - primarily health insurers and health plans. HB 884 is a NAIC accreditation bill that allows Georgia's Department of Insurance to maintain NAIC accreditation. Georgia has maintained NAIC accreditation since the program began in the 1990s.

**HB 885**, Sponsored by: Rep. Jan Jones, repeals the Code section giving certain counties the option to create a board of health and wellness by ordinance. Any affected county board of health will fall under the jurisdiction of the state system. This bill brings the Fulton County Board of Health in line with the state's 158 other county boards of health to ensure coordination with the state department of health.