



## **Georgia Orthopaedic Society Week One Report January 13<sup>th</sup> – January 17<sup>th</sup>**

The 2020 Session of the Georgia General Assembly is underway! The Legislature convened on Monday, January 13<sup>th</sup>. While the first week is often comprised of much pomp and circumstance, legislators wasted no time in getting to work. Along with the procedural necessities, there were a number of bills introduced as well as an “insist” on HB 276, Representative Harrell’s Sales Tax Bill introduced in 2019. HB 276 creates a mechanism to collect existing sales taxes on internet goods and services. Many companies were using a loophole to avoid paying. This could generate millions of new dollars in revenue for the state.

Keep reading for more on legislation to watch as well as a report on the State of the State, the Legislative calendar and more.

---

### ***State of the State***



On Thursday, the House and Senate united in a joint session in the House Chambers to hear Governor Brian Kemp's 2020 State of the State address. In the speech, Governor Kemp reflected on the gains in 2019 and addressed his priorities for 2020. Governor Kemp didn't specifically address the expected budget cuts but simply stated that Georgia will keep its budget balanced.

One priority of the Governor will be to deliver the additional \$2,000 pay raise to teachers. Last year teachers received \$3,000 of the \$5,000 promised. He also told the legislature he expects QBE to be fully funded again in 2020.

Kemp discussed reform in Georgia's adoption laws – namely tripling the current adoption tax credit of \$2,000 and launching a commission focused on improvements in the state's foster care system.

In health care, Governor Kemp promised to eliminate surprise billing in Georgia. He also noted that he is pushing for a partial Medicaid expansion to lower insurance premiums.

The Governor ended his speech by recognizing Senator Johnny Isakson and Governor Nathan Deal in the gallery. You can watch the speech in its entirety [here](#).



---

## *Legislative Calendar*

The legislature has passed its first adjournment resolution. We have the schedule for the first 14 days of the Session that will take us through February 10<sup>th</sup>. Below is the upcoming schedule:

- Day 5 – January 27<sup>th</sup>
- Day 6 – January 28<sup>th</sup>
- Day 7 – January 29<sup>th</sup>
- Day 8 – January 30<sup>th</sup>
- Day 9 – January 31<sup>st</sup>
- Day 10 – February 3<sup>rd</sup>

Day 11 – February 4<sup>th</sup>  
Day 12 – February 5<sup>th</sup>  
Day 13 – February 6<sup>th</sup>  
Day 14 – February 10<sup>th</sup>

---

## ***Legislation to Watch***

SB 293 – (Senator Chuck Hufstetler) Out of Network Billing.

- This bill addresses out of network billing – an issue that has been at the center of the healthcare conversation for three years. It is important to note that this has caught the attention of the Governor’s office in that Governor Kemp specifically mentioned the need to address “surprise bills” in his State of the State address.
- The bill sets an initial payment for out of network emergency services at the average contracted rate or at the greater of the average contracted amount for all eligible insurers in an area. In this case, the patient would not be required to pay more than their typical in-network amount.
- In the case that the patient chooses to receive out of network care and the patient acknowledges in writing that this is their choice, the patient will be responsible for the out of network billed charges.
- In the case that the physician does not agree with the payment amount, they can request arbitration with the Commissioner of Insurance. This baseball style arbitration would consist of the physician and the insurer each providing a final offer payment amount and the arbitrator would choose from the two amounts.
- We expect a House bill containing similar arbitration language to drop next week.
- This bill has been assigned to the Senate Insurance Committee

HB 744 – (Representative Mike Wilensky) Limitations on prescribing opioids.

- The bill places a number of restrictions on prescribing opioids as follows:
- Prescribers are prevented from prescribing any combination of opioid medication in an aggregate amount in excess of 100 morphine mg equivalents of opioid medication per day
- Prescribers are prevented from prescribing more than a 30 day supply to a patient under treatment for chronic pain within a 30 day period
- Prescribers are prevented from prescribing to a patient under acute pain more than a seven day supply within a seven day period
- Exceptions include the following:
  - Pain associated with cancer treatment
  - Pain associated with a compound fracture
  - Post-operative pain management resulting from a surgical procedure
  - Hospice care if terminally ill
  - Medication assisted treatment for a substance abuse disorder
  - Prescribers would be subject to a \$250 fine per violation.
- This bill has not been assigned to a committee yet.

In addition to the highlighted bills, please find the attached spreadsheet with a comprehensive list of affiliated bills for the 2019-2020 biennial.

---

***Save The Date***

Join us on February 19th, 2020 for Physician's Day at the Capitol. This will be located in the Floyd Room of the Twin Towers Building. This all day event will give you an opportunity to meet with legislators, hear their 2020 session priorities, and ask any questions you may have for them.

---

If you have any questions or concerns with legislation before the Georgia General Assembly, please do not hesitate to contact your Peachtree Government Relations team at the Capitol.

Don Bolia  
404-314-4844  
Don.Bolia@peachgr.com

Laura Norton  
678-699-6426  
Laura.Norton@peachgr.com

Brittany Ellison  
404-516-7825  
Brittany@peachgr.com

Tyler Lewis  
912-223-1096  
tylerlewisga@gmail.com

