

House Bill 660

By: Representative Parrish of the 158<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 31-2-8 of the Official Code of Georgia Annotated, relating to actions  
2 against certain applicants or licensees, so as to increase fine amount limits; to repeal  
3 conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 31-2-8 of the Official Code of Georgia Annotated, relating to actions against  
7 certain applicants or licensees, is amended by revising paragraph (6) of subsection (c) as  
8 follows:

9 "(6)(A) Except as otherwise provided in subparagraph (B) of this paragraph, impose a  
10 fine of up to \$2,000.00 per day for each violation of a law, rule, regulation, or formal  
11 order related to the initial or ongoing licensing of any agency, facility, institution, or  
12 entity, up to a total of \$40,000.00;

13 (B) Impose a mandatory fine of no less than \$5,000.00 for a violation of a law, rule,  
14 regulation, or formal order related to the initial or ongoing licensing of a long-term care  
15 facility which has caused the death of or serious physical harm to a resident in such  
16 facility. For purposes of this subparagraph, the term 'serious physical harm' means an

17 injury which causes any significant impairment of the physical condition of the resident  
18 as determined by qualified medical personnel;

19 (C) No fine may be imposed pursuant to this paragraph against any nursing facility,  
20 nursing home, or intermediate care facility which is subject to intermediate sanctions  
21 under the provisions of 42 U.S.C. Section 1396r(h)(2)(A), as amended, whether or not  
22 those sanctions are actually imposed; or"

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.