House Resolution 1194

By: Representatives Knight of the 130th, Cooper of the 43rd, Beskin of the 54th, Frye of the 118th, Hatchett of the 150th, and others

A RESOLUTION

1   Creating the House Study Committee on Retrospective Emergency Room Policies; and for

2   other purposes.

3   WHEREAS, the patients of Georgia should not be dissuaded from going to the emergency

4   room in a potential emergency; and

5   WHEREAS, retrospective payment policies for emergency care put Georgia patients at risk;

6   and

7   WHEREAS, the patients of Georgia should not be expected to have the medical knowledge

8   to determine whether an emergency exists; and

9   WHEREAS, patients pay for insurance policies expecting for that policy to cover their care

10   during potential emergencies; and

11   WHEREAS, federal law regarding the prudent layperson standard conflicts with the prudent

12   layperson standard set out in retroactive emergency room payment policies; and

13   WHEREAS, retroactive emergency room policies contribute to medical debt endured by

14   Georgians, conflict with goals for access to care across the state, and discriminate against

15   patients with lower health literacy; and

16   WHEREAS, it would be beneficial to study the practices and policies that are currently being

17   implemented in various emergency departments throughout the state to determine if action

18   by the state is necessary to mitigate the problem.

19   NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

20   (1) **Creation of House study committee.** There is created the House Study Committee

21   on Retrospective Emergency Room Policies.

22   (2) **Members and officers.** The committee shall be composed of five members of the

23   House of Representatives to be appointed by the Speaker of the House of

24   Representatives. The Speaker shall designate a member of the committee as chairperson

25   of the committee.

26   (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,

27   issues, and problems mentioned above or related thereto and recommend any action or

28   legislation which the committee deems necessary or appropriate.

29   (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee

30   may conduct such meetings at such places and at such times as it may deem necessary or

31   convenient to enable it to exercise fully and effectively its powers, perform its duties, and

32   accomplish the objectives and purposes of this resolution.

33   (5) **Allowances and funding.** The legislative members of the committee shall receive

34   the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia

35   Annotated. The allowances authorized by this resolution shall not be received by any

36   member of the committee for more than five days unless additional days are authorized.

37   Funds necessary to carry out the provisions of this resolution shall come from funds

38   appropriated to the House of Representatives.

39   (6) **Report.**

40   (A) In the event the committee adopts any specific findings or recommendations that

41   include suggestions for proposed legislation, the chairperson shall file a report of the

42   same prior to the date of abolishment specified in this resolution, subject to

43   subparagraph (C) of this paragraph.

44   (B) In the event the committee adopts a report that does not include suggestions for

45   proposed legislation, the chairperson shall file the report, subject to subparagraph (C)

46   of this paragraph.

47   (C) No report shall be filed unless the same has been approved prior to the date of

48   abolishment specified in this resolution by majority vote of a quorum of the committee.

49   A report so approved shall be signed by the chairperson of the committee and filed with

50   the Clerk of the House of Representatives.

51   (D) In the absence of an approved report, the chairperson may file with the Clerk of the

52   House of Representatives a copy of the minutes of the meetings of the committee in lieu

53   thereof.

54   (7) **Abolishment.** The committee shall stand abolished on December 1, 2018.