

Senate Bill 434

By: Senators Unterman of the 45th, Burke of the 11th, Shafer of the 48th and Kirk of the 13th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Board for Physician Workforce, so as to change the name of the Georgia Board for  
3 Physician Workforce to the Georgia Board of Health Care Workforce; to provide a  
4 definition; to add advanced practice registered nurses to the board's powers, duties, and  
5 responsibilities; to expand the board's membership; to amend the the Official Code of  
6 Georgia Annotated so as to conform cross-references; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia  
11 Board for Physician Workforce, is amended in Code Section 49-10-1, related to board for  
12 physician workforce, composition, expense allowances, staffing, and advisory committees,  
13 by revising subsection (a) as follows:

14 ~~"(a)(1) The Joint Board of Family Practice which existed on January 1, 1998, is~~  
15 ~~continued in existence but on and after July 1, 1998, shall become and be known as the~~  
16 ~~Georgia Board for Physician Workforce.~~ The Georgia Board for Physician Workforce  
17 which existed on January 1, 2018, is continued in existence but on and after July 1, 2018,  
18 shall become and be known as the Georgia Board of Health Care Workforce, referred to  
19 in this chapter as the 'board,' and shall be attached to the Department of Community  
20 Health for administrative purposes only, as defined by Code Section 50-4-3, except that  
21 such department shall prepare and submit the budget for that board in concurrence with  
22 that board.

23 (2) As used in this chapter, the term 'health care practitioners' means professionals  
24 licensed as an audiologist, chiropractor, clinical social worker, dentist, dental hygienist,  
25 dietitian, medical doctor, marriage and family therapist, registered professional or  
26 licensed practical nurse, occupational therapist, optometrist, osteopathic physician,  
27 pharmacist, physical therapist, physician assistant, professional counselor, podiatrist,

28 psychologist, radiological technician, respiratory therapist, or speech-language  
 29 pathologist.

30 ~~(2)(3)~~ The Georgia Board for Physician Workforce Georgia Board of Health Care  
 31 Workforce shall be composed of ~~15~~ 16 members, all of whom are residents of this state,  
 32 as follows:

33 (A) Five members shall be primary care physicians, at least three of whom shall be  
 34 from rural areas;

35 (B) Five members shall be physicians who are not primary care physicians, at least  
 36 three of whom shall practice in rural areas;

37 (C) Three members shall be representatives of hospitals which are not teaching  
 38 hospitals, with at least two of those three members being representatives of rural,  
 39 nonprofit hospitals;

40 (D) One member shall be a representative of the Georgia Nursing Leadership  
 41 Coalition;

42 ~~(D)~~(E) One member shall be a representative from the business community;

43 ~~(E)~~(F) One member shall have no connection with the practice of medicine or the  
 44 provision of health care; and

45 ~~(F)~~(G) The ~~physicians on the~~ board shall represent a diversity of medical disciplines,  
 46 including, but not limited to, women's health, geriatrics, and children's health. The  
 47 board shall represent the gender, racial, and geographical diversity of the state.

48 ~~(3)~~(4) All members of the board shall be appointed by the Governor and confirmed by  
 49 the Senate. The terms of office of all the members of the ~~Joint Board of Family Practice~~  
 50 ~~shall expire July 1, 1998~~ Georgia Board for Physician Workforce shall expire  
 51 July 1, 2018, but only at such time on or after that date when all ~~15~~ 16 of the initial  
 52 members of the ~~Georgia Board of Physician Workforce~~ Georgia Board of Health Care  
 53 Workforce have been appointed and qualified. No such initial member shall exercise any  
 54 power under this chapter until all ~~15~~ 16 members have been appointed and qualified. The  
 55 initial members of the board who are appointed thereto shall take office for initial terms  
 56 of office as follows:

57 (A) Two primary care physicians, two physicians who are not primary care physicians,  
 58 and one representative of a hospital which is not a teaching hospital shall be appointed  
 59 to two-year terms of office;

60 (B) Two primary care physicians, two physicians who are not primary care physicians,  
 61 and one representative of a hospital which is not a teaching hospital shall be appointed  
 62 to four-year terms of office; and

63 (C) The remainder of the board shall be appointed to six-year terms of office.

64 Thereafter, successors to such members shall be appointed for terms of six years. The  
 65 Governor shall designate the term to which each initial member is appointed. All  
 66 members shall serve until their successors are appointed and qualified. Members  
 67 appointed under this paragraph shall be eligible to serve on the board until confirmed by  
 68 the Senate at the session of the General Assembly next following their appointment.

69 ~~(4)~~(5) In case of a vacancy on the board by reason of death or resignation of a member  
 70 or for any other cause other than the expiration of the member's term of office, the board  
 71 shall by secret ballot elect a temporary successor. If the General Assembly is in session,  
 72 the temporary successor shall serve until the end of that session. If the General Assembly  
 73 is not in session, the temporary successor shall serve until the end of the session next  
 74 following the vacancy or until the expiration of the vacated member's term of office,  
 75 whichever occurs first. The Governor shall appoint a permanent successor who shall be  
 76 confirmed by the Senate. The permanent successor shall take office on the first day after  
 77 the General Assembly adjourns and shall serve for the unexpired term and until his or her  
 78 successor is appointed and qualified.

79 ~~(5)~~(6) The office on the board of a member thereof who fails to attend more than three  
 80 consecutive regular meetings of the board, without excuse approved by resolution of the  
 81 board, shall become vacant."

82 **SECTION 2.**

83 Said chapter is further amended by revising Code Section 49-10-3, relating to powers, duties,  
 84 and responsibilities, as follows:

85 "49-10-3.

86 The board shall have the following powers, duties, and responsibilities:

87 (1) To locate and determine specific underserved areas of the state in which unmet  
 88 priority needs exist for physicians, advanced practice registered nurses, and health care  
 89 practitioners by monitoring and evaluating the supply and distribution of physicians,  
 90 advanced practice registered nurses, and health care practitioners by specialty and  
 91 geographical location;

92 (2) To award service cancelable loans and scholarships pursuant to Part 6 of Article 7 of  
 93 Chapter 3 of Title 20, Chapter 34 of Title 31, or as otherwise provided by law;

94 (3) To approve and allocate state appropriations for family practice training programs,  
 95 including but not limited to fellowships in geriatrics and other areas of need as may be  
 96 identified by the board;

97 (4) To approve and allocate state appropriations for designated pediatric training  
 98 programs;

- 99 (5) To approve and allocate any other state funds appropriated to the ~~Georgia Board for~~  
 100 ~~Physician Workforce~~ Georgia Board of Health Care Workforce to carry out its purposes;  
 101 (6) To coordinate and conduct with other state, federal, and private entities, as  
 102 appropriate, activities to increase the number of graduating physicians and health care  
 103 practitioners who remain in Georgia to practice with an emphasis on medically  
 104 underserved areas of the state;
- 105 (7) To apply for grants and to solicit and accept donations, gifts, and contributions from  
 106 any source for the purposes of studying or engaging one or more contractors to study  
 107 issues relevant to medical education or implementing initiatives designed to enhance the  
 108 medical education infrastructure of this state and to meet the physician and other health  
 109 care practitioners workforce needs of Georgia communities; and
- 110 (8) To carry out any other functions assigned to the board by general law."

111 **SECTION 3.**

112 The Official Code of Georgia Annotated is amended by replacing "Georgia Board for  
 113 Physician Workforce" with "Georgia Board of Health Care Workforce" wherever the former  
 114 term occurs in:

- 115 (1) Code Section 20-3-510, relating to board defined relative to medical scholarships.  
 116 (2) Code Section 20-3-513, relating to determination of amount by board, terms and  
 117 conditions, and repayment in services relative to medical scholarships.  
 118 (3) Code Section 31-7-95, relating to funding of medical education provided by hospital  
 119 authorities and designated teaching hospitals.  
 120 (4) Code Section 31-34-2, relating to purpose and intent of chapter relative to physicians for  
 121 rural areas assistance.  
 122 (5) Code Section 31-34-3, relating to administration by Georgia Board for Physician  
 123 Workforce.  
 124 (6) Code Section 45-7-21, relating to expense allowance and travel cost reimbursement for  
 125 members of certain boards and commissions.  
 126 (7) Code Section 48-7-161, relating to definitions relative to setoff debt collection.

127 **SECTION 4.**

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