

The House Committee on Health offers the following substitute to SB 505:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to regulation of hospitals and related institutions, so as to revise provisions relating
3 to required publication by hospital of certain financial documents on its website; to provide
4 for uniform reporting requirements; to require hospitals to annually provide the Uniform
5 Resource Locator for the webpage containing the financial documents; to provide for
6 increased penalties for noncompliance; to provide for related matters; to provide for an
7 effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
11 regulation of hospitals and related institutions, is amended by revising Code Section 31-7-22,
12 relating to required publication by hospital of certain documentation on website, updating,
13 penalty for noncompliance, enforcement, and individual criminal penalty, as follows:

14 "31-7-22.

15 (a) As used in this Code section, the term 'hospital' means a ~~nonprofit hospital, a hospital~~
16 ~~owned or operated by a hospital authority, or a nonprofit corporation formed, created, or~~

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17 ~~operated by or on behalf of a hospital authority publicly or privately owned hospital which~~
18 ~~is licensed to operate by the department pursuant to this article.~~

19 (b) ~~Each Beginning October 1, 2019, each~~ hospital in this state shall be required to post
20 and maintain a link in a prominent location on the main page of its website to the most
21 recent version of each of the following documents in the format and manner established by
22 the department pursuant to subsection (d.1) of this Code section:

23 (1) Federal related disclosures:

24 (A) Copies of audited financial statements that are general purpose financial
25 statements, which express the unqualified opinion of an independent certified public
26 accounting firm for the most recently completed fiscal year for the hospital; each of its
27 affiliates, except those affiliates that were inactive or that had an immaterial amount of
28 total assets; and the hospital's parent corporation that include the following:

29 (i) A PDF version of all audited financial statements;

30 (ii) A note in the hospital's audited financial statements that identifies individual
31 amounts for such hospital's gross patient revenue, allowances, charity care, and net
32 patient revenue;

33 (iii) Audited consolidated financial statements for hospitals with subsidiaries and
34 consolidating financial statements that at a minimum contain a balance sheet and
35 statement of operations and that provide a breakout of the hospital's and each
36 subsidiary's numbers with a report from independent accountants on other financial
37 information; and

38 (iv) Audited consolidated financial statements for the hospital's parent corporation
39 and consolidating financial statements that at a minimum contain a balance sheet and
40 statement of operations and that provide a breakout of the hospital's and each
41 affiliate's numbers with a report from independent accountants on other financial
42 information; ~~and~~

- 43 (B) ~~A copy~~ Copy of audited Internal Revenue Service Form 990, including Schedule
44 H for hospitals and other applicable attachments; provided, however, that for any
45 hospital not required to file IRS Form 990, the department shall establish and provide
46 a form that collects the same information as is contained in Internal Revenue Service
47 Form 990, including Schedule H for hospitals, as applicable; and
- 48 (C) A copy of Securities and Exchange Commission Form 10-K Annual Report for any
49 publicly owned hospital; and
- 50 (2) Georgia supplemental disclosures:
- 51 (A) ~~The Copy of the~~ hospital's completed annual hospital questionnaire, as required by
52 the department;
- 53 (B) The community benefit report prepared pursuant to Code Section 31-7-90.1, if
54 applicable;
- 55 (C) The disproportionate share hospital survey, if applicable;
- 56 (D) Listing of all real property holdings of the hospital, including the location and size,
57 parcel ID number, purchase price, current use, and any improvements made to such
58 property;
- 59 (E) Listing of any ownership or interest the ~~nonprofit~~ hospital has in any joint venture,
60 partnership, subsidiary holding company, or captive insurance company; where any
61 such entity is domiciled; and the value of any such ownership or interest;
- 62 (F) Listing of any bonded indebtedness, outstanding loans, and bond defaults, whether
63 or not in forbearance; and any bond disclosure sites of the hospital;
- 64 (G) A report that identifies by purpose, the ending fund balances of the net assets of
65 the hospital and each affiliate as of the close of the most recently completed fiscal year,
66 distinguishing between donor permanently restricted, donor temporarily restricted,
67 board restricted and unrestricted fund balances. The hospital's interest in its foundation
68 shall be deducted from the foundation's total fund balance;
- 69 (H) All Copy of all going concern statements regarding the hospital;

- 70 (I) The most recent legal chart of corporate structure, including the hospital, each of
71 its affiliates and subsidiaries, and its parent corporation, duly dated;
- 72 (J) A report ~~Report~~ listing the salaries and fringe benefits for the ten highest paid
73 administrative positions in the hospital. Each position shall be identified by its
74 complete, unabbreviated title. Fringe benefits shall include all forms of compensation,
75 whether actual or deferred, made to or on behalf of the employee, whether full or
76 part-time;
- 77 (K) Evidence of accreditation by accrediting bodies, including, but not limited to, the
78 Joint Commission and DNV; and
- 79 (L) The ~~Copy of the~~ hospital's policies regarding the provision of charity care and
80 reduced cost services to the indigent, excluding medical assistance recipients, and its
81 debt collection practices.
- 82 (c) Each hospital in this state shall annually update the documents in the links posted
83 pursuant to subsection (b) of this Code section ~~on~~ no later than July 1 of each year or more
84 frequently at its discretion. Noncurrent documents shall remain posted and accessible on
85 the hospital's website indefinitely.
- 86 (d) All documents listed in subsection (b) of this Code section shall be prepared in
87 accordance with generally accepted accounting principles, as applicable.
- 88 (d.1) No later than December 31, 2024, the department shall establish a uniform template
89 and criteria for reporting the documents required to be posted pursuant to this Code section.
90 No later than July 1, 2025, all hospitals shall implement and utilize such uniform template
91 and reporting criteria.
- 92 (e) Each hospital in this state shall annually provide to the department the Uniform
93 Resource Locator to the link required pursuant to subsection (b) of this Code section no
94 later than August 1 each year. The department shall ~~also post a~~ and maintain an updated
95 link in a prominent location on its website ~~to the documents listed in subsection (b) of this~~

96 ~~Code section for~~ containing the Uniform Resource Locator for each hospital in this state
97 as provided by each such hospital pursuant to this subsection.
98 (f) Any hospital that fails to ~~post the documents required pursuant to subsection (b)~~
99 comply with any provision of this Code section ~~within 30 days of the dates required in this~~
100 ~~Code section within 30 days of the dates required in this Code section~~ shall be suspended
101 from receiving any ~~state funds or any donations pursuant to Code Section 48-7-29.20~~ funds
102 administered by the state; provided, however, that the department shall provide a hospital
103 30 days' notice of any deficiency and opportunity to correct such deficiency prior to any
104 suspension of funds pursuant to this subsection.
105 (g) The department shall ~~have jurisdiction to enforce this Code section and to promulgate~~
106 ~~rules and regulations required to administer this Code section.~~
107 (h) Any person who knowingly and willfully includes false, fictitious, or fraudulent
108 information in any documents required to be posted pursuant to this Code section shall be
109 subject to a violation of Code Section 16-10-20."

110 **SECTION 2.**

111 This Act shall become effective upon its approval by the Governor or upon its becoming law
112 without such approval.

113 **SECTION 3.**

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