

Senate Resolution 279

By: Senators Dolezal of the 27th, Cowsert of the 46th, Watson of the 1st, Kennedy of the 18th, Robertson of the 29th and others

ADOPTED SENATE

A RESOLUTION

- 1 Creating the Senate Study Committee on Certificate of Need Reform; and for other purposes.
- 2 WHEREAS, Georgia's Certificate of Need laws have remained static despite significant
3 changes in the delivery and cost of health care; and
- 4 WHEREAS, hospitals, doctors, and other providers must work together to meet the challenge
5 of delivering services with better outcomes at a lower cost; and
- 6 WHEREAS, Georgia needs additional healthcare facilities to meet the needs of patients,
7 particularly in mental health, surgery, and emergency settings; and
- 8 WHEREAS, rural hospitals face an ongoing financial crisis, and Certificate of Need policies
9 should be aligned to support the survival and growth of rural hospitals; and
- 10 WHEREAS, the closure of a Level 1 acute care hospital can have detrimental effects on
11 access to health care in a community, as observed after the recent closure of the Atlanta
12 Medical Center; and

13 WHEREAS, it would be beneficial for the state to receive ample notice of any anticipated
14 closure of a hospital, particularly including that of a Level 1 acute care hospital, to make all
15 necessary arrangements to ensure the residents of this state receive the health care they need;
16 and

17 WHEREAS, reforms should preserve the ability of hospitals to continue to provide open
18 access to all patients in a community; and

19 WHEREAS, legislation accomplishing these goals should be recommended by a study
20 committee.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

22 (1) **Creation of Senate study committee.** There is created the Senate Study Committee
23 on Certificate of Need Reform.

24 (2) **Members and officers.** The committee shall be composed of 12 members appointed
25 by the President of the Senate as follows:

26 (A) Seven members of the Senate, which shall include the Chairperson of the Senate
27 Regulated Industries Committee and the Chairperson of the Senate Health and Human
28 Services Committee; and

29 (B) Five nonlegislative members, including:

30 (i) A citizen representative who serves in an executive role in a nonprofit health
31 system;

32 (ii) A citizen representative who serves in an executive role in a for profit health
33 system;

34 (iii) A citizen representative who serves in an executive role in a rural hospital;

35 (iv) A citizen representative who practices medicine as an independent physician; and

36 (v) A citizen representative who has expertise in healthcare costs and works in the
37 insurance industry.

38 The President of the Senate shall designate a legislative member of the committee as
39 chairperson of the committee.

40 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
41 issues, and problems mentioned above or related thereto and recommend any action or
42 legislation which the committee deems necessary or appropriate.

43 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
44 may conduct such meetings at such places and at such times as it may deem necessary or
45 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
46 accomplish the objectives and purposes of this resolution.

47 (5) **Allowances, expenses, and funding.**

48 (A) The legislative members of the committee shall receive the allowances provided
49 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

50 (B) Members of the committee who are state officials, other than legislative members,
51 or who are state employees shall receive no compensation for their services on the
52 committee, but they may be reimbursed for expenses incurred by them in the
53 performance of their duties as members of the committee in the same manner as they
54 are reimbursed for expenses in their capacities as state officials or employees.

55 (C) Members of the committee who are not legislators, state officials, or state
56 employees shall receive a daily expense allowance in an amount the same as that
57 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia
58 Annotated, as well as the mileage or transportation allowance authorized for state
59 employees.

60 (D) The allowances authorized by this resolution shall not be received by any member
61 of the committee for more than five days unless additional days are authorized. Funds
62 necessary to carry out the provisions of this resolution shall come from funds

63 appropriated to the Senate; except that funds for the reimbursement of the expenses of
64 state officials, other than legislative members, and for the reimbursement of the
65 expenses of state employees shall come from funds appropriated to or otherwise
66 available to their respective agencies.

67 **(6) Report.**

68 (A) In the event the committee adopts any specific findings or recommendations that
69 include suggestions for proposed legislation, the chairperson shall file a report of the
70 same prior to the date of abolishment specified in this resolution, subject to
71 subparagraph (C) of this paragraph.

72 (B) In the event the committee adopts a report that does not include suggestions for
73 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
74 of this paragraph.

75 (C) No report shall be filed unless the same has been approved prior to the date of
76 abolishment specified in this resolution by majority vote of a quorum of the committee.
77 A report so approved shall be signed by the chairperson of the committee and filed with
78 the Secretary of the Senate.

79 (D) In the absence of an approved report, the chairperson may file with the Secretary
80 of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

81 **(7) Abolishment.** The committee shall stand abolished on December 1, 2023.