

House Bill 1028 (AS PASSED HOUSE AND SENATE)

By: Representatives LaHood of the 175th, Cooper of the 45th, Dempsey of the 13th, Hilton of the 48th, and Oliver of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 revise the state health officer's authorization to issue standing orders; to repeal provisions
3 relating to the Georgia Diabetes Control Grant Program; to revise a definition; to repeal
4 provisions relating to a pilot program for preexposure prophylaxis drug assistance or
5 services; to repeal provisions relating to control of mass gatherings; to amend Title 42 of the
6 Official Code of Georgia Annotated, relating to penal institutions, so as to repeal a provision
7 requiring the Department of Public Health to inspect facilities; to make conforming changes;
8 to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in
12 Chapter 1, relating to general provisions, by revising Code Section 31-1-10, relating to state
13 health officer and duties, as follows:

14 "31-1-10.

15 (a) The position of state health officer is created. The Governor may appoint the
16 commissioner of public health to serve simultaneously as the state health officer or may

17 appoint another individual to serve as state health officer. Such officer shall serve at the
 18 pleasure of the Governor. An individual appointed to serve as state health officer shall be
 19 licensed to practice medicine in this state.

20 (b) The state health officer shall:

21 (1) Perform such health emergency preparedness and response duties as assigned by the
 22 Governor; and

23 (2) Be authorized to issue a standing order prescribing ~~an opioid antagonist, as such term~~
 24 ~~is defined in Code Section 26-4-116.2;~~ any of the following on a state-wide basis under
 25 conditions that he or she determines to be in the best interest of this state;

26 (A) Opioid antagonists, as defined in Code Section 26-4-116.2; and

27 (B) Post-exposure prophylaxis drugs for the prevention of the human
 28 immunodeficiency virus (HIV)."

29 SECTION 2.

30 Said title is further amended in Chapter 2A, relating to the department of public health, by
 31 repealing Code Section 31-2A-14, relating to Georgia Diabetes Control Grant Program,
 32 advisory committee, administration of authorized grant programs, and grant criteria, and by
 33 designating said Code section as reserved.

34 SECTION 3.

35 Said title is further amended in Chapter 17, relating to control of sexually transmitted
 36 diseases, by revising Code Section 31-17-1, relating to enumeration of diseases deemed
 37 dangerous to public health, as follows:

38 "31-17-1.

39 As used in this chapter, the term 'sexually transmitted diseases' means syphilis, gonorrhea,
 40 chlamydia, and any other diseases that the Department of Public Health, through rule or
 41 regulation, declares Syphilis, gonorrhea, and chancroid, hereinafter referred to as sexually

42 ~~transmitted diseases, are declared~~ to be contagious, infectious, communicable, and
43 dangerous to the public health."

44 **SECTION 4.**

45 Said title is further amended in Chapter 17A, relating to control of HIV, by repealing Code
46 Section 31-17A-4, relating to a pilot program for preexposure prophylaxis drug assistance
47 or services.

48 **SECTION 5.**

49 Said title is further amended in Chapter 21, relating to dead bodies, by revising paragraph (3)
50 of subsection (a) of Code Section 31-21-3, relating to death of person with infectious or
51 communicable disease, required reporting procedures, confidentiality, disclosure, and
52 penalties, as follows:

53 "(3) Any sexually transmitted disease ~~enumerated~~ as defined in Code Section 31-17-1;
54 or"

55 **SECTION 6.**

56 Said title is further amended by repealing Chapter 27, relating to control of mass gatherings,
57 and by designating said chapter as reserved.

58 **SECTION 7.**

59 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
60 in Article 1 of Chapter 1, relating to inmate policies, by revising subsection (a) of Code
61 Section 42-1-7, relating to notification to transporting law enforcement agency of inmate's
62 or patient's infectious or communicable disease, as follows:

63 "(a) For the purposes of this Code section, the term 'infectious or communicable disease'
64 shall include infectious hepatitis, tuberculosis, influenza, measles, chicken pox, meningitis,

65 HIV as defined in Code Section 31-22-9.1, or any sexually transmitted disease ~~enumerated~~
66 as defined in Code Section 31-17-1."

67 **SECTION 8.**

68 Said title is further amended in Chapter 4, relating to jails, by revising subsection (c) of Code
69 Section 42-4-32, relating to sanitation and health requirements, as follows:

70 "(c) Sanitation inspections of both facilities and inmates shall be made as frequently as is
71 necessary to ensure against the presence of unsanitary conditions. ~~An official from the~~
72 ~~Department of Public Health or an officer designated by the commissioner of public health~~
73 ~~shall inspect the facilities at least once every three months.~~ New inmates should be
74 carefully classified, with adequate separation and treatment given as needed."

75 **SECTION 9.**

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