

House Bill 1078 (AS PASSED HOUSE AND SENATE)

By: Representatives Petrea of the 166th, Cooper of the 45th, Hawkins of the 27th, Newton of the 127th, Washburn of the 144th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to
2 services for the aging, so as create a new adult day center licensure exclusion; to authorize
3 the Department of Community Health to establish and implement the Georgia Program of
4 All-Inclusive Care for the Elderly (PACE) as part of the state's medical assistance program;
5 to provide for definitions; to exempt PACE organizations from the requirement to obtain a
6 certificate of authority as a health maintenance organization; to provide for related matters;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the
11 aging, is amended in Article 7, relating to licensure of adult day centers, by revising
12 paragraph (3) of Code Section 49-6-82, relating to definitions, as follows:

13 "(3) 'Adult day health services' means the provision of a comprehensive plan of services
14 that meets the needs of aging adults under a medical model, as defined in paragraph (6)
15 of this Code section. This term shall not include programs which provide day habilitation
16 and treatment services exclusively for individuals with developmental disabilities or the

17 Georgia Program of All-Inclusive Care for the Elderly (PACE), as defined in Article 9
18 of this chapter."

19 **SECTION 2.**

20 Said chapter is further amended by adding a new article to read as follows:

21 "ARTICLE 9

22 49-6-100.

23 The purpose of this article is to establish additional opportunities within Georgia's
24 Medicaid program to provide comprehensive, integrated acute and long-term healthcare
25 services to qualifying individuals who require skilled nursing care so that such individuals
26 can continue living in the community.

27 49-6-101.

28 As used in this article, the term:

29 (1) 'Department' means the Department of Community Health.

30 (2) 'Georgia Program of All-Inclusive Care for the Elderly' or 'PACE' means the
31 comprehensive, voluntary program that provides an alternative to nursing home care for
32 eligible older adults as authorized by the federal government under the federal Social
33 Security Act, 42 U.S.C. Sections 1395eee and 1396u-4, as amended.

34 (3) 'Medicaid' shall have the same meaning as set forth in Code Section 49-5-272.

35 (4) 'Medical assistance' shall have the same meaning as set forth in Code Section
36 49-4-141.

37 49-6-102.

38 (a) The department, as part of the medical assistance program in Chapter 5 of this title,
39 may develop and implement the Georgia Program of All-Inclusive Care for the Elderly
40 (PACE), pursuant to the requirements of Title XIX of the federal Social Security Act, as
41 amended, regulations promulgated pursuant thereto by the secretary of health and human
42 services, all applicable laws of this state, the state plan, and regulations of the department
43 which are in effect on the date on which the items are rendered.

44 49-6-103.

45 A PACE organization shall be exempt from the requirement, pursuant to Chapter 21 of
46 Title 33, to obtain a certificate of authority as a health maintenance organization."

47 **SECTION 3.**

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