

House Bill 1344 (AS PASSED HOUSE AND SENATE)

By: Representatives Dempsey of the 13th, Cooper of the 45th, Hawkins of the 27th, Anulewicz of the 42nd, and Silcox of the 53rd

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 2 of Title 37 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the administration of mental health, developmental
3 disabilities, addictive diseases, and other disability services, so as to allow for certain
4 officials on the Behavioral Health Coordinating Council to be represented by a delegate or
5 agent; to repeal provisions relating to the formulation and publication of a state plan for
6 disability services; to amend Article 1 of Chapter 10A of Title 43 of the Official Code of
7 Georgia Annotated, relating to licensing provisions relative to professional counselors, social
8 workers, and marriage and family therapists, so as to authorize the Georgia Composite Board
9 of Professional Counselors, Social Workers, and Marriage and Family Therapists to waive
10 certain requirements for applicants licensed in other jurisdictions; to amend Article 10 of
11 Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to social services
12 relative to children and adolescents with severe emotional problems, so as to repeal a
13 provision relating to the submission of an annual report by the commissioner of behavioral
14 health and developmental disabilities; to provide for related matters; to provide for an
15 effective date; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

17
18 Article 1 of Chapter 2 of Title 37 of the Official Code of Georgia Annotated, relating to
19 general provisions relative to the administration of mental health, developmental disabilities,
20 addictive diseases, and other disability services, is amended in Code Section 37-2-4, relating
21 to the Behavioral Health Coordinating Council, membership, meetings, and obligations, by
22 revising subsection (c) and adding a new subsection to read as follows:

23 "(c) Meetings of the council shall be held quarterly, or more frequently, on the call of the
24 chairperson. Meetings of the council shall be held with no less than five days' public notice
25 for regular meetings and with such notice as the bylaws may prescribe for special meetings.
26 Each member shall be given written or electronic notice of all meetings. All meetings of
27 the council shall be subject to the provisions of Chapter 14 of Title 50. Minutes or
28 transcripts shall be kept of all meetings of the council and shall include a record of the
29 votes of each member, specifying the yea or nay vote or absence of each member, on all
30 questions and matters coming before the council, and minutes or transcripts of each
31 meeting shall be posted on the state agency website of each council member designee. No
32 member may abstain from a vote other than for reasons constituting disqualification to the
33 satisfaction of a majority of a quorum of the council on a recorded vote. Except as
34 provided in subsection (c.1) of this Code section, no ~~No~~ member of the council shall be
35 represented by a delegate or agent. Any member who misses three duly posted meetings
36 of the council over the course of a calendar year shall be replaced by an appointee of the
37 Governor unless the council chairperson officially excuses each such absence.

38 (c.1) The commissioner of behavioral health and developmental disabilities, the
39 commissioner of early care and learning, the commissioner of community health, the
40 commissioner of public health, the commissioner of human services, the commissioner of
41 juvenile justice, the commissioner of corrections, the commissioner of veterans service, the
42 commissioner of community supervision, the commissioner of community affairs, the
43 commissioner of the Technical College System of Georgia, the Commissioner of Labor,

44 the State School Superintendent, and the chairperson of the State Board of Pardons and
45 Paroles shall each be authorized to be represented by a delegate or agent at any meeting of
46 the council or subcommittee meeting. Any such delegate or agent shall be counted toward
47 a quorum, shall have all voting privileges as the member's delegate or agent, and shall not
48 be considered an absence of the member."

49 **SECTION 2.**

50 Said article is further amended by repealing and reserving Code Section 37-2-7, relating to
51 formulation and publication of state plan for disability services.

52 **SECTION 3.**

53 Article 1 of Chapter 10A of Title 43 of the Official Code of Georgia Annotated, relating to
54 licensing provisions relative to professional counselors, social workers, and marriage and
55 family therapists, is amended by revising Code Section 43-10A-10, relating to licensure
56 without examination, as follows:

57 "43-10A-10.

58 (a) The board may issue a license without examination to any applicant licensed in a
59 specialty under the laws of another jurisdiction having requirements for licensure in that
60 specialty which are substantially equal to the licensure requirements for that specialty in
61 this state.

62 (b) The board shall be authorized to waive all or a portion of the experience requirements
63 for any applicant licensed under the laws of another jurisdiction who has maintained full
64 licensure in good standing in such jurisdiction for a minimum of two years."

65 **SECTION 4.**

66 Article 10 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to
67 social services relative to children and adolescents with severe emotional problems, is
68 amended by repealing and reserving Code Section 49-5-224, relating to annual report.

69 **SECTION 5.**

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

72 **SECTION 6.**

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