

Senate Bill 130

By: Senators Hodges of the 3rd, Still of the 48th, Watson of the 1st, Kirkpatrick of the 32nd and Hickman of the 4th

AS PASSED

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 expand medical education funding and the service cancelable loan program; to revise
3 definitions; to provide for medical education funding to certain medical organizations
4 facilities; to provide for a physician in certain residency or fellowship programs to be eligible
5 for the service cancelable loan program; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
10 Code Section 31-7-95, relating to funding of medical education provided by hospital
11 authorities and designated teaching hospitals, as follows:

12 "31-7-95.

13 (a) As used in this Code section, the term:

14 (1) '~~Designated teaching hospital~~ institution' means either:

15 (A) A a teaching hospital operated by other than a hospital authority, which hospital
16 agrees to contract with the state to offer or continue to offer a residency or fellowship

17 program approved by the Accreditation Council for Graduate Medical Education
18 (ACGME), which program has at least one ACGME accredited residency program,
19 excluding any stand-alone fellowship program, and which hospital operates a 24 hour,
20 seven-day-per-week emergency room open to the public and which hospital files a
21 semiannual statistical report consistent with those filed by other state funded tertiary,
22 neonatal, obstetrical centers with the Department of Community Health; or

23 (B) A medical facility that has a certification number assigned by the federal Centers
24 for Medicare and Medicaid Services to health care providers participating in the
25 medicare and Georgia Medicaid programs and that agrees to contract with the state to
26 offer or continue to offer a residency or fellowship program approved by the ACGME,
27 which program has at least one ACGME accredited residency or fellowship program.

28 (1.1) 'Fellow' means a physician receiving medical education and training at an ACGME
29 accredited fellowship program through a teaching hospital operated by a hospital
30 authority or designated institution.

31 (2) 'Hospital authority' means a hospital authority operating a teaching hospital which
32 offers a residency or fellowship program approved by the Accreditation Council for
33 Graduate Medical Education.

34 (3) 'Resident' means a physician receiving medical education and training at an ACGME
35 accredited residency program through a teaching hospital operated by a hospital authority
36 or designated teaching hospital institution.

37 (b) The General Assembly finds that the major hospital authorities and designated teaching
38 hospitals institutions in this state provide a valuable service benefiting the entire state by
39 operating teaching hospitals and medical facilities which provide necessary medical
40 education and training for physicians; this service is provided through residency and
41 fellowship programs offered by these teaching hospitals and medical facilities. By the
42 provision of residency and fellowship programs operated by state teaching hospitals, the
43 state has recognized its responsibility to fund the cost of training physicians; and it is the

44 purpose of this Code section to recognize that the state has a similar responsibility when
45 the medical education and training are provided by teaching hospitals operated by hospital
46 authorities or by designated ~~teaching hospitals~~ institutions.

47 (c) For each resident or fellow receiving medical education and training through a teaching
48 hospital operated by a hospital authority or designated ~~teaching hospital~~ institution, the
49 Department of Community Health shall pay no more than \$10,000.00 per annum to the
50 hospital authority or designated ~~teaching hospital~~ institution. Such payments shall be made
51 based upon certifications by the hospital authorities or designated ~~teaching hospitals~~
52 institutions to the Department of Community Health. The Department of Community
53 Health is authorized to designate the Georgia Board of Health Care Workforce to
54 promulgate rules and regulations specifying procedures for making the certifications
55 provided for in this Code section and to establish a procedure for making payments to
56 hospital authorities and designated ~~teaching hospitals~~ institutions as provided in this Code
57 section.

58 (d) The funds necessary to carry out this Code section shall derive from funds appropriated
59 for such purpose to the Department of Community Health. In the event the funds
60 appropriated by the General Assembly are insufficient to fund the full amount payable to
61 hospital authorities or designated ~~teaching hospitals~~ institutions under subsection (c) of this
62 Code section, the amount otherwise payable thereunder shall be reduced pro rata in
63 accordance with the funds actually appropriated for such purpose. The Department of
64 Community Health shall have the authority to promulgate rules and regulations to carry out
65 the provisions of this Code section. No additional teaching hospitals ~~will~~ or designated
66 institutions shall be added until such funds have been made available for any additional
67 teaching hospitals or designated institutions.

68 (e) Nothing in this Code section shall be construed to amend, modify, supersede, or repeal
69 Chapter 10 of Title 49."

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SECTION 2.

71 Said title is further amended by revising Code Section 31-34-2, relating to purpose and intent
72 of article, as follows:

73 "31-34-2.

74 It is the purpose of this article to increase the number of physicians, dentists, physician
75 assistants, and advanced practice registered nurses in underserved rural areas of Georgia
76 by making loans to physicians, dentists, physician assistants, and advanced practice
77 registered nurses who have completed their medical or health care education, to physicians
78 in residency or fellowship programs, and to dental students and allowing such loans to be
79 repaid by such physicians, dentists, physician assistants, advanced practice registered
80 nurses, resident physicians, fellowship physicians, and dental students agreeing to practice
81 medicine or provide health care services in such rural areas and by making grants to
82 hospitals and, as determined by the Georgia Board of Health Care Workforce, other health
83 care entities, local governments, and civic organizations in underserved rural areas of
84 Georgia that agree to provide matching funds to the grant, with the intent to enhance
85 recruitment efforts in bringing physicians, dentists, physician assistants, and advanced
86 practice registered nurses to such areas. It is the intent of the General Assembly that if
87 funds are available to the Georgia Board of Health Care Workforce to make loans, grants,
88 or scholarships under this article or under other applicable state law, the Georgia Board of
89 Health Care Workforce shall give priority to loans and scholarships under Part 6 of Article
90 7 of Chapter 3 of Title 20 and to loans under Code Section 31-34-4."

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SECTION 3.

92 Said title is further amended by revising subsection (a) of Code Section 31-34-4, relating to
93 loan applicant qualifications and rules and regulations, as follows:

94 "(a)(1) A physician, dentist, physician assistant, or advanced practice registered nurse
95 who receives a loan under the program provided for in this article shall be a citizen or

96 national of the United States licensed to practice his or her health care profession within
97 the State of Georgia at the time the loan is made, and shall be a graduate of an accredited
98 graduate medical education program or other applicable accredited health care education
99 program located in the United States which has received accreditation or provisional
100 accreditation by the Accreditation Council for Graduate Medical Education or the
101 American Osteopathic Association or such other applicable accreditation for other health
102 care education programs, as determined by the board.

103 (2) A resident physician or fellowship physician who receives a loan under the program
104 provided for in this article shall be a citizen or national of the United States and shall be
105 a resident physician or fellowship physician in an ACGME accredited program.

106 (3) A dental student who receives a loan under the program provided for in this article
107 shall be a citizen or national of the United States and shall be actively enrolled as a
108 fourth-year student in an accredited dental education program located in the United
109 States."

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SECTION 4.

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