

**Georgia Department of Community Health
Division of Public Health
2010 Legislative Session
Bill Summaries of Passed Legislation**

HB 194 - Brand name drugs; substitute generic drugs; provisions

This bill amends O.C.G.A. Section 26-4-81, such that whenever a substitution of generic drugs is made for brand name drugs, the pharmacist shall record the substitution, as well as the identity and manufacturer of the dispensed product, on the original prescription. Additionally, if a pharmacist makes such a substitution, the brand name and the generic name of the drug product, along with language indicating a substitution has occurred, must appear on the prescription label and be affixed to the container or an auxiliary label.

HB 853 - Tanning Facilities Regulation Act; enact (passed attached to SB 435)

HB 853 passed attached to SB 435 (the "Diabetes and Health Improvement Act of 2010). The bill mandates registration of tanning facilities with the Department of Community Health after January 1, 2011, requiring payment of an annual registration fee of \$25.00 per tanning facility and an additional registration fee \$15.00 per tanning device owned, leased or used by the tanning facility. The bill prohibits the use of tanning equipment at tanning facilities by minors under the age of 14 and requires written consent by a parent or legal guardian for minors over age 14 and under age 18. Consent forms must be signed in the presence of the tanning facility operator. Finally, the bill prohibits tanning facilities from advertising or distributing promotional materials which claim tanning device usage is safe or which associate medical or health benefits with such usage.

HB 1119 Georgia Arthritis Prevention and Control Act

This legislation requires the Department of Community Health to establish, promote and maintain a comprehensive program fro all aspects of arthritis. The bill also requires the state to educated patients and providers.

HB 1154 Influenza vaccine; revise definition

This legislation revises the definition of Influenza Vaccine to include the intranasal vaccine. This will allow providers to administer either the inactivated or live attenuated influenza under a blanket protocol. This vaccine can not be given to individuals younger than 13 and older than 49 years of age.

HB 1206 - Water well standards; require contractor license under geologist or engineer direction; change provisions

This bill amends Part 3 of Chapter 5 of Title 12 of O.C.G.A. first by defining a geothermal borehole. Secondly, O.C.G.A. Code Section 12-5-125 is amended to require than no person shall drill a water well or geothermal borehole without having a water well contractor's license issued by the council. Individuals must

act under the direction of a professional geologist or a professional engineer in order to drill any kind of well, borehole, or corehole other than a water well or geothermal borehole. Finally, O.C.G.A. Code Section 12-5-134 is amended by addition a new subparagraph which details the construction and grouting of geothermal boreholes and their minimum safe distances from multiple sources of contamination.

HB 1300 - Lead poisoning; identification and abatement of hazards; revise provisions (See SB 78 - Georgia Voluntary Remediation Program Act; define certain terms; provide for power/duties of Environmental Protection Div. director. HB 1300 passed in its entirety attached to SB 78.)

House Bill 1300 amends Chapter 41 of Title 31 of the O.C. G.A., identifying the chapter as the "Georgia Lead Poisoning Prevention Act of 1994." The bill: extensively revises the provisions related to identification and abatement of lead hazards; defines terms, including "child-occupied facility," "minor repair and maintenance activities," "renovation," and "target housing;" identifies the Georgia Department of Natural Resources as the agency responsible for the implementation, administration, and enforcement of the Georgia Lead-Based Paint Hazard Reduction Program established by the bill; changes provisions relating to activities which are regulated; modifies provisions relating to licensure and regulation of persons carrying out abatement activities; and provides for administrative sanctions and penalties.

HB 1345- Georgia Kosher Food Consumer Protection Act

This bill relates to standards, labeling, and adulteration of food, so as to repeal provisions relating to kosher foods; to provide for oversight by the administrator of kosher food; to provide for definitions; and to provide for a kosher food disclosure statement.

HB 1407 - Medicaid and PeachCare for Kids; single administrator for dental services; provisions

This bill amends Article 7 of Chapter 4 of Title 49 of the O.C.G.A. by adding Code section 49-4-158, which provides for the Department of Community Health's entering into a contract with a single administrator, selected through a competitive bidding process, to provide dental services for recipients of Medicaid and PeachCare for Kids upon the expiration, or termination prior to expiration, of the current term of a contract with a care management organization (CMO) covering dental services. The single administrator shall establish a dental provider fee schedule which is at least 85 percent of the maximum allowable payments for dental services as published by the department. This bill was vetoed by the Governor.

HR 1713 - Health Departments; support system for Georgians with Disabilities; submit plan; request

This resolution requests that the Department of Behavioral Health and Developmental Disabilities, the Department of Community Health, and the Department of Human Services submit to the General Assembly a multiyear comprehensive plan for creating a system of supports for home and community based services (HCBS) that support independent living of Georgians with developmental disabilities, physical disabilities, traumatic brain injury, and mental health issues. Additionally, the departments are urged to provide the General Assembly with a strategic plan, developed with the Olmstead coordinator, which sets HCBS priorities for said population and to support a multiyear funding commitment projecting the appropriations necessary to address the need for services for these Georgians

HR 1946 - Community Health, Department of; educate public on disposal of home-generated medical sharps; urge

This resolution urges the Georgia Department of Community Health to educate the public and create awareness regarding the safe disposal of home-generated medical sharps (any needle or similarly sharp or pointed object that has the potential to contain hazardous or infectious agents) and to work with representatives from multiple health, restaurant, and waste management agencies in creating such an educational program.

SB 360 - Motor Vehicles; prohibit persons 18 years of age or younger from using wireless telecommunications devices; text messages

Also known as the "Caleb Sorohan Act for Saving Lives by Preventing Texting While Driving" SB 360 amends Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to change certain provisions relating to the suspension or revocation of the licenses of habitually negligent or dangerous drivers and the point system. The bill: changes certain provisions relating to drivers' exercise of due care; prohibits writing, sending, or reading a text based communication while operating a motor vehicle by persons 18 years of age or older or who have a Class C license; provides penalties for violations; and exempts headsets used for communication purposes.

SB 435 - "Diabetes and Health Improvement Act of 2010"; enact; establish Georgia Diabetes Control Office; board of trustees

This bill establishes within the Department of Community Health's Division of Public Health the Georgia Diabetes Control Grant Program to develop, implement, and promote a state-wide effort to combat the proliferation of Type 2 diabetes and pre-diabetes. The Program will be under the direction of a seven-member advisory committee appointed by the Governor, as well as the diabetes

coordinator appointed pursuant to Code Section 31-2-17. DCH shall provide staff, administrative support, and other resources necessary for the coordinator to carry out required duties. Two grant programs shall be administered by the Program. The first will provide grants to middle schools and high schools to promote the understanding and prevention of diabetes. These grants will be provided through the appropriate local board of education. The second program will provide grants to health care providers for support of evidence based diabetes programs for education, screening, disease management and self-management targeting populations at greater risk for pre-diabetes, diabetes, and the complications of diabetes. This new program is subject to appropriations from the General Assembly.

SB 458 - Safety Belts; eliminate certain exceptions to the required use of safety belts

This bill amends O.C.G.A. Code Section 40-8-76.1, expanding the definition of "passenger vehicle" to include "pickup trucks, vans, and sport utility vehicles" designed to carry ten persons or fewer as it relates to the types of vehicles in which seat belts must be used. The bill specifically excludes motorcycles, off-road vehicles, and pickup trucks used for agricultural and farming pursuits by individuals 18 years of age and older.

SR 277 - Georgia Trauma Trust Fund; impose a charge on certain motor vehicle registrations; transferred to state treasury for purpose of funding-CA

This resolution allows a constitutional amendment in the November 2010 general election to permit an additional charge of \$10 per registration of passenger vehicles, including motorcycles. These funds would be placed in a trauma trust fund.

SR 915 - U.S. Congress, Health/Human Services; urged to ignore recent guidelines for breast cancer screenings; Preventive Services Task Force

This resolution urges the United States Congress, the Department of Health and Human Services, and Centers for Medicare and Medicaid Services to ignore the recent guidelines for breast cancer screenings by the United States Preventive Services Task Force (USPSTF), which delay initial mammograms for women from age 40 to age 50 and which provide for biennial screenings for women in their 50s, in contrast to current guidelines which provide for yearly mammograms for such women.

SR 986 - Chronic Obstructive Pulmonary Disease; recognize growing incidence

This resolution asks that: Chronic Obstructive Pulmonary Disease (COPD) be recognized as an increasing problem in Georgia, COPD data be collected,

analyzed and disseminated by the Department of Community Health, and improved treatment guidelines for citizens with COPD be developed.