



GNA 2010 Legislative Wrap-Up

The General Assembly adjourned Sine Die on Thursday, April 29, after one of the longest legislative sessions in modern history. Before adjourning for the year, the House and Senate approved a \$17.9 billion state budget that included significant cuts to state agencies and services across the board.







In March, drastic cuts to the University System of Georgia were proposed by the Board of Regents, including proposals to cut nurse faculty, classes and enrollment at schools across the state. Some nursing programs could have been eliminated entirely by the proposal. GNA spoke out publicly against the cuts to nursing programs. Through the passage of many fee increases in [HB 1055](#), these massive cuts to nursing education were avoided. Moving forward, GNA will continue to advocate for nursing education funding in our state to avoid irreversible harm to our future nursing workforce.

School nurses managed to avoid dramatic budget cuts for another year. GNA continues to advocate with our org affiliate, the Georgia Association of School Nurses (GASN), to see the school nurse program in Georgia fully funded.

The FY '11 budget is based upon a combination of fee increases set forth in HB 1055, which combines several user fee increases for state services, and the "Hospital Tax," with the elimination of the state's quarter mil share of the property tax and the state tax on unearned income for those 65 and older. The "Hospital Tax" will assess an additional fee on all hospital's net patient revenue, not to exceed 1.5%, and will sunset in 2013. The fee increase was proposed in 2009 by Gov. Sonny Perdue as a way to address a \$1 billion shortfall in this year's budget.

Amidst the dire budget situation, legislators found consensus on transportation funding and ethics reforms bills, which are now on their way to the Governor's desk. Legislators will likely tout these two achievements as they begin their 2010 campaigns for election.

List of GNA's 2010 Top Legislative Issues

-  **GNA believes that essential health care services, such as PeachCare, indigent care and nursing care for school children should be a priority in the state budget annually.**
-  **GNA will pursue "nurse" title protection in the state of Georgia in an effort to safeguard the public and ensure patient safety.**
-  **GNA will continue its effort to create a nurse license plate and seek a portion of the proceeds to fund nursing scholarships and workforce planning & development.**
-  **GNA will support additional resources and regulation for traditional and non-traditional nursing education programs to meet the demand for quality nursing care in Georgia.**
-  **GNA will continue to work with other stakeholders to study the need for legislation to implement ANA's Safe Staffing Principles (www.safestaffingsaveslives.org) in Georgia.**
-  **GNA believes that the regulation and oversight of all nursing practice should be held by nurses, through the authority of a state board of nursing.**

House Bill 1040

A bill proposed by Gov. Sonny Perdue, [HB 1040](#), generated a great deal of discussion in nursing circles this session. The measure will allow unlicensed caregivers to perform “health maintenance activities” for individuals who are disabled and wish to receive home-based care. After hearing from a number of concerned nurses (GNA members and non-members), GNA testified before a House subcommittee to express its concern about the bill.

In February, the GNA Board of Directors adopted the following position on HB 1040:

“GNA supports the intent of HB 1040, but wants to see changes made to the bill regarding a limited scope of practice for the unlicensed caregiver that addresses patient safety and protection for the registered nurse regarding liability.”

GNA’s advocacy efforts resulted in language inserted in the bill to safeguard patient safety in Georgia. This language makes all home health agency workers hired to perform “health maintenance” in a home-based care setting subject to the state rules and regulations that will be written to implement HB 1040. GNA remains concerned about patient safety and RN liability implications of HB 1040. **HB 1040 was signed by the Governor on June 4.**

Other Issues

The Georgia Nurses Foundation (GNF) continues the necessary administrative steps with the Georgia Department of Revenue to create an RN license plate. Funding from the RN tag would ultimately be used for nursing scholarships and workforce planning & development. For information on the GNF Nurse License Plate initiative, please visit <http://www.georgianurses.org/GNFtag.htm>.

Other bills proposed this session that GNA monitored closely included [HB 1250](#), which would allow APRNs in Georgia to prescribe Schedule II controlled substances. The bill would also allow advanced practice registered nurses to sign, certify and/or endorse health care documents, such as worker’s comp verification documents, physical exam forms, death certificates, etc. In 2006, GNA advocated for the passage of SB 480, which allowed advanced practice nurses to prescribe in Georgia. **HB 1250 failed to pass in 2010.**

[SB 430](#) would amend the Nurse Practice Act to enter the state into the Nurse Licensure Compact for the purpose of multistate licensure for the practice of **telephonic nursing** by registered nurses. GNA reported to the bill sponsor that the National Compact was unlikely to allow Georgia to enter if the new statute only addressed “telephonic nursing.” **The GNA Board of Directors took a neutral position on the issue of multistate licensure.** ANA has developed talking points that outline its position on the issue. Click [HERE](#) for background info. **SB 430 failed to pass in 2010.**

Here are some other bills GNA and our lobbyists monitored in 2010, representing the interests of all RNs in Georgia. All bills passed in 2010 now go to the desk of Governor Sonny Perdue and could potentially be signed into law or vetoed.

HB 307 Medicaid; federal financial participation; hospitals; impose fee

By Rep. Jim Cole (R-Forsyth)

Known as the “hospital tax,” the measure would assess an additional fee on all hospital’s net patient revenue, not to exceed 1.5%. **HB 307 was added to HB 1055 as an amendment and passed.**

HB 1055 was signed by the Governor on May 12.

http://www.legis.ga.gov/legis/2009_10/sum/hb307.htm

SB 304 Offenses; mandate a minimum age for the prosecution of the offenses of prostitution

Sen. Renee Unterman (R-Buford)

This legislation seeks to address the issue of child prostitution and child trafficking in Georgia. The bill provides that any girl/boy under the age of 16 arrested for prostitution in Georgia would not be prosecuted, but instead diverted to professional therapy and counseling. **SB 304 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/sb304.htm

SB 315 Uniform Emergency Volunteer Health Practitioners Act; enactment; definitions; regulations

By Sen. Preston Smith (R-Rome)

SB 315 would create a statewide registry of volunteer health care professionals, including physicians, nurses and veterinarians, who could be called upon to serve during a state of emergency. In addition, the bill would allow health care professionals licensed in other states to temporarily provide care during a state of emergency in Georgia. **SB 315 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/sb315.htm

SB 412 Georgia eHealth Advisory Council; create; composition; powers; provide strategic plan and annual reports

By Sen. Greg Goggans (R-Douglas)

SB 412 creates the Georgia eHealth Advisory Council that is charged with crafting a strategic plan regarding electronic health initiatives within five years of its creation. The bill also defines electronic health initiatives, including “telehealth” nurses who could serve “schools that are faced with having to decrease nursing staff.” **SB 412 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/sb412.htm

SB 425 Mental Health Admin.; revise definition of health services; community service boards; limit eligibility to be appointed; revise the min. number

By Sen. Don Balfour (R-Snellville)

SB 425 defines “health services” in relation to the administration of mental health, developmental disabilities, addictive diseases and other services within the Department of Community Health. The bill creates community service boards to provide health services. Nurses could be contracted to provide these services. **SB 425 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/sb425.htm

HB 947 Supplemental appropriations; State Fiscal Year July 1, 2009-June 30, 2010

By Rep. David Ralston (R-Blue Ridge)

The amended Fiscal Year 2010 budget or “little budget.” **HB 947 was signed by the Governor on May 6.**

http://www.legis.ga.gov/legis/2009_10/sum/hb947.htm

HB 948 General appropriations; State Fiscal Year July 1, 2010-June 30, 2011

By Rep. David Ralston (R-Blue Ridge)

The Fiscal Year 2011 budget totaled \$17.9 billion. Smaller than expected cuts were taken in areas such as technical and career education, pre-school handicap and school nurses. In addition, no cuts were made to Medicaid providers, and trauma funding was maintained. \$9.3 million was provided in bond funding for the state’s hospitals, and money was included for two new community health centers. Despite the maneuvers to enhance state revenue, legislators could not prevent a cut to state-funded services of almost 18 percent according to the Georgia Budget and Policy Institute. **HB 948 was signed by the Governor on June 4.**

http://www.legis.ga.gov/legis/2009_10/sum/hb948.htm

HB 1107 Ignition interlock devices; install upon first conviction of violation; require Rep. Tom Knox (R-Forsyth)

A bill that would require the installation of an ignition interlock device in the vehicle of those convicted of a DUI for the first time. Current Georgia law requires the installation of the device after a second DUI offense within five years. **HB 1107 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/hb1107.htm

HB 1179 Influenza vaccinations; hospitals to offer annually to employees; require

Rep. Katie Dempsey (R-Rome)

A bill that requires hospitals in the state of Georgia to offer annual flu vaccinations at no cost to health care workers and other employees who come into contact with patients, subject to CDC recommendations. **HB 1179 was signed by the Governor on May 27.**

http://www.legis.ga.gov/legis/2009_10/sum/hb1179.htm

HB 1184 Health insurance; offer individual accident and sickness policies approved in other states; provisions

Rep. Matt Ramsey (R-Peachtree City)

Legislation introduced by Gov. Perdue that would allow health insurance policies to be sold across state lines. **HB 1184 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/hb1184.htm

Legislation carried over from 2009

HB 39 Excise tax; cigarettes and loose or smokeless tobacco; increase amount

By Rep. Ron Stephens (R-Savannah)

A proposed "cigarette tax" to add \$1 to every pack sold in Georgia. Any new revenue could be used to balance the FY '11 state budget. **HB 39 failed to pass in 2010.**

http://www.legis.ga.gov/legis/2009_10/sum/hb39.htm

HB 337 Public health system; career track program to recruit and retain nurses; require

By Rep. Donna Sheldon (R-Dacula)

HB 337 failed to pass in 2010.

HB 610 Nurses; requirements for nursing education programs; revise

By Rep. Sharon Cooper (R-Marietta)

HB 610 failed to pass in 2010.

HR 532 Joint Study Committee on Nursing Education in Georgia; create

By Rep. Sharon Cooper (R-Marietta)

HR 532 failed to pass in 2010.

For more information on the 2010 Session of the Georgia General Assembly, please visit www.legis.ga.gov.