|  |  |  |  |
| --- | --- | --- | --- |
| **Code** | **Description of Service** | **Code** | **Description of Service** |
| 90460 | Vaccine admin, 1-18 years w/ counseling | 99233 | Hospital care, subsequent day |
| 90471 | Vaccine Administration | 99238 | Hospital discharge day |
| 90472 | Vaccine Admin, each Add component | 99239 | Hospital discharge day |
| 99202 | Sick Visit, New Patient | 99244 | Office Consultation |
| 99203 | Sick Visit, New Patient | 99381 | Initial PM E/M New Patient, Infant |
| 99204 | Sick Visit, New Patient | 99460 | Initial E/M Healthy Newborn, in Hospital |
| 99205 | Sick Visit, New Patient | 99462 | Subsequent Newborn E/M Per Day Hospital |
| 99212 | Office/Outpatient Visit Established Patient | 99468 | Neonate Critical Care, initial |
| 99214 | Office/Outpatient Visit Established Patient | 99469 | Neonate Critical Care Subsequent day |
| 99215 | Office/Outpatient Visit Established Patient | 99477 | Initial Day, Hospital Neonate Care |
| 99217 | Observation Care, Discharge | 99213\* | Office Visit, Established Patient |
| 99218 | Initial Observation Care | 99391\* | PM E/M, Est Patient, Infant |
| 99221 | Initial hospital care | 99392\* | Preventive Visit Est Patient, Age 1-4 |
| 99222 | Initial hospital care | 99393\* | Preventive Visit Est Patient, Age 5-11 |
| 99231 | Hospital care, subsequent day | 99394\* | Preventive Visit, Est Patient, Age 12-17 |
| 99232 | Hospital care, subsequent day | 99395\* | Preventive Visit Est Patient, Age 18-39 |
| \* To increase codes raised per HB 76 in FY 2016 to from 90% 2014 Medicare to 100%. | | | |

**2016 Implementation Report**

To view a copy of the bills listed below, click [here](http://www.legis.ga.gov/en-US/default.aspx).

**BUDGET** (HB 751)

The FY 2017 budget totals $23.7 billion, representing the largest state budget since the recession. This spending plan will fund state operations from July 1, 2016 to June 30, 2017. The following highlights budget items of interest to Emory.

**Medicaid/PeachCare for Kids**

* No payment rate cuts for any provider group.
* The following select Primary Care and OB/GYN codes will move to 100% of the 2014 Medicare Schedule ($26.2 million):
* For Skilled Nursing homes, a 3% increase to the 2012 Cost Reports ($11.3 million).
* A 3% increase in ventilator reimbursement rates for nursing home-based vent units ($95,000).
* For Emergency Ground Ambulance providers, a 7% increase for Advanced Life Support emergency transport (Code: A0427) ($634,000).

*NOTE: The Care Management Organizations are required to increase their current per unit reimbursement rates for contracted primary care, OB/GYN, and EMS providers at the aforementioned increased rates.*

* For Home and Community Based long-term care providers:
  + Comprehensive Supports Waiver Program (COMP) providers to receive a provider rate increase ($12 million for six months of funding).
  + 5% increase in adult day health center rates ($400,000).
  + Parity for personal support rates in the Independent Care Waiver Program (ICWP) as compared to the CCSP and SOURCE programs ($3.8 million).
* Increase reimbursement rates for physical and occupational therapy providers in the Children’s Intervention Services program ($2 million).
* Reflection of new Hospital Provider Payment Program revenue (due to the annual growth in assessable Net Patient Revenue). These funds will be used to generally offset Medicaid state fund costs ($12 million).

**Medicaid Financing**

* Increased funding for higher pharmacy costs for Hepatitis C and Cystic Fibrosis drugs. ($24 million).
* Continued funding for the Rural Health Stabilization Program grants.
* Funding for loan repayment for PAs and APRNs practicing in rural and underserved areas ($200,000).
* Increased funding for additional pay for public health nurses ($4.3 million).
* Funding for a new Behavioral Health crisis stabilization center (location unspecified) ($6 million).

**DCH Administration & Program Support**

* The Georgia Department of Community Health (DCH) shall inspect each medical facility that it is authorized to regulate under O.C.G.A. 31-2-1 on an annual basis, maintain records of inspections and violations, and deliver an annual report on such inspections to the General Assembly within 30 days of the end of each fiscal year (no new funding).
* Funding provided for DCH to evaluate cost-savings measures through accurate diagnosis of ADHD through the Neuropsychiatric EEG-Based Assessment Aid (NEBA) system. DCH is to report back to the General Assembly by January 1, 2017 ($200,000).

**DCH Authorization Language** (no budget impact):

* + DCH is to evaluate budget neutral payment methodologies for Medicaid member access to services provided by newly-enrolled long-term acute care and inpatient rehabilitation hospitals.
  + DCH is authorized to submit a request to CMS for a Section 1115 waiver of the Social Security Act pursuant to O.C.G.A. 49-4-142.1 et seq. and within the parameters of O.C.G.A. 49-4-142.2.

**Graduate Medical Education**

* Eight new slots included in OB/GYN residency programs with two slots each at Emory, Medical College of Georgia, Morehouse and Navicent Health ($123,000).

**Autism**

The Emory Autism Center will receive funding from the Department of Public Health for three projects, including addressing the early diagnostic capacity crisis, facilitating transition from pediatric to adult primary care for individuals with Autism Spectrum Disorder and to provide person-and family-centered positive behavior supports ($195,000).

**TEG**

Funding levels for the Tuition Equalization Grant (TEG) remained unchanged in the FY17 budget.

**LEGISLATION**

**I. BILLS PASSED THAT IMPACT EMORY**

**Transportation** (SB 369):One of OGCA’s top tier legislative priorities this year, the MARTA expansion bill received final passage in the final hours of the session. If approved by voters this November, the City of Atlanta will be allowed to levy a 0.50 percent sales tax that could be used to finance about $2.5 billion for transit projects within the City. About 25 percent of the Clifton Corridor line is in the City of Atlanta. Fulton County would also be allowed to hold a referendum this year for up to 0.75 percent sales tax for road improvements and could pursue up to a 0.25 percent sales tax for transit in the future. Betty Willis, OGCA Team member and executive director of the Clifton Community Partnership, testified before the Senate Transportation Committee in favor of the bill and worked closely with partners at MARTA, Fulton County and the City of Atlanta. – *Effective upon voter approval in November 2016*

**HIV Testing** (HB 1058): Clarifies existing law that minors may be tested for HIV without parental consent. This bill will allow HIV researchers to expand their research studies to include critical data on minors and to directly study the impact of HIV on this population. This measure received final passage after the OGCA Team worked to successfully defeat a number of amendments aimed at requiring providers to notify a minor’s parent or legal guardian of the test results. – *Effective July 1, 2016*

**Vaccine Protocol** (HB 1043): Addresses some inadvertent consequences for hospitals and health systems that provide vaccines in a community setting, such as a health fair, following some burdensome restrictions passed last year. HB 1043 eliminates the requirement to notify a patient’s primary care physician within 72 hours of providing an influenza vaccination, as well as the need for privacy screens at flu vaccine clinic locations when operated by a hospital or health system.

Another measure (SB 385) was also added to the bill that restricts the advertising of specialties and subspecialties by physicians and other medical professionals to only those obtained through a board certified by either the American Board of Medical Specialties or the American Osteopathic Association. – *Effective July 1, 2016*

**Right to Try** (HB 34): Allows terminally ill patients to seek approval from pharmaceutical manufacturers to try treatments that are past the first phase of FDA testing but not yet approved. The bill does not mandate that a physician recommend such treatment, nor does it compel a pharmaceutical manufacturer to comply with a patient’s request. This bill is part of a national movement to encourage the FDA to streamline Emergency Investigational New Drug (EIND) applications. Similar legislation has passed in almost 30 states. – *Effective July 1, 2016*

**Rape Kits** (SB 304): In response to the backlog of rape kits found in some metro Atlanta hospitals, legislation was passed to establish uniform standards for the transfer of forensic medical exams from hospitals and rape crisis centers to law enforcement agencies. The bill requires law enforcement to pick up all rape kits within 96 hours from hospital and rape crisis centers, and those kits must be processed by law enforcement within 30 days. Some provisions of the underlying bill remain unclear with regard to the administration of the new requirements. It is expected that legislation will be introduced next year to clarify the law. – *Effective July 1, 2016*

**Provider Directories** (SB 302): Requires health plans to maintain an accurate directory of providers for each of their contracted network insurance plans and to conduct periodic audits to ensure the accuracy of the directory. OGCA worked with other stakeholders to limit the administrative burden to hospitals, acknowledging that more work needs to be done next session. – *Effective July 1, 2016*

**Palliative Care** (HB 509): Establishes the Georgia Palliative Care and Quality of Life Advisory Council within DCH to examine ways to improve quality and delivery of patient-centered and family-focused palliative care in Georgia. – *Effective July 1, 2016*

**Law Enforcement Video Recordings** (HB 976): Requires that video recordings from law enforcement body devices or vehicles be retained for 180 days from the date of the recording, with some exception. – *Effective July 1, 2016*

**Nursing Homes** (HB 902): Requires assisted living communities to provide educational information on the influenza disease to each of their residents no later than September 1 of each year. – *Effective July 1, 2016*

**Child Legitimation** (SB 64): This bill originated within the Governor's task force on child support which was tasked with addressing issues related to child support and the processes of child legitimation and voluntary acknowledgements of paternity. The bill contains language that the hospital requirement to file executed forms will only apply if the forms are completed prior to discharge, and that hospitals will not be held to that standard if a notary public is not available. – *Effective July 1, 2016*

**II. OTHER BILLS THAT PASSED**

**Motorcycle Mobility Safety Act** (HB 166): Increases the handlebar height on motorcycles from 15 to 25 inches. – *Effective July 1, 2016*

**Ephedrine Products** (HB 362): Establishes restrictions on the sale of products containing ephedrine or pseudoephedrine and requires pharmacies to implement real-time tracking of sales of these products. – *Effective July 1, 2016*

**Abortion Reporting** (HB 555): Adds additional requirements for Juvenile Courts in reporting of abortions in the case of a minor. – *Effective July 1, 2016*

**Lactation Consultant Licensure** (HB 649): Creates a new licensure category for lactation consultants, which will be administered under the Georgia Composite Medical Board. Registered Nurses (RN) and other clinical licensed professionals are exempted from having to be dually licensed in order to perform lactation consultation. – *Effective July 1, 2016*

**Fireworks** (HB 727/SB 350/SR 558): Considered a “clean up” bill to last year’s legislation that authorized the sale of fireworks in Georgia, HB 727 adds additional restrictions on where fireworks may be used and the time of day that they may be ignited. – *Effective April 26, 2016*

Another set of measures (SB 350 and SR 558) will allow voters in November to decide whether to dedicated taxes from the sale of fireworks to the Georgia Trauma Care Network, the Georgia Firefighter Standards and Training Council and local 911 operations. – *Effective January 1, 2017 if approved by voters in November 2016*

**ABLE Act** (HB 768): Establishes the Georgia Achieving a Better Life Experience (ABLE) Program that will allow for tax-exempt savings accounts for disabled individuals to pay for qualified expenses associated with their disability. – *Effective May 3, 2016*

**Annual Drug Update** (HB 783): Adds new drugs to the list of controlled substances. Also revises the definition of “low THC oil” to include an amount of cannabidiol and a combination of tetrahydrocannabinol. – *Effective May 3, 2016*

**Tasers** (HB 792): Allows for the use of tasers on public university campuses. Private universities are exempt from its provisions. The OGCA Team partnered with the Georgia Independent College Association (GICA) to ensure private universities remained exempt from these measures. – *Effective July 1, 2016*

**Comprehensive Stroke Centers** (HB 853): Updates the current system of levels of stroke centers in Georgia to reflect advances in stroke treatment and therapy. – *Effective* *April 26, 2016*

**Fulton County Public Health** (HB 885): Moves the Fulton County health department under state control. – *Effective April 27, 2016*

**Mail Order Drugs** (HB 886): Aligns state law governing mail order pharmacies with federal requirements. – *Effective July 1, 2016*

**Drug Repository Program** (HB 897): Establishes a drug repository program within the Georgia Department of Public Health (DPH) to accept and dispense over-the-counter and prescription drugs donated for the purpose of being dispensed to nursing home patients. The program is entirely voluntary and does not require nursing home facilities or patients to participate. – *Effective July 1, 2016*

**Prescription Drug Database** (HB 900): Gives pharmacists the ability to delegate the retrieval and review of the Prescription Drug Monitoring Program information to technicians for the purposes of determining misuse, abuse, or underutilization of prescribed medication. – *Effective July 1, 2016*

**Mental Health Records** (HB 910): Applies existing health record copy and mailing costs to all psychiatric, psychological and other mental health records. – *Effective July 1, 2016*

**Nursing Home Investors** (HB 920): Prohibits a passive investor in a nursing home from being named in a civil action against such a facility. – *Effective July 1, 2016*

**Compounding Pharmacies** (HB 926): Aligns state law with federal regulations regarding compounding pharmacies. – *Effective July 1, 2016*

**Professional Licensing Boards** (HB 952): Gives the Governor authority to actively supervise professional licensing boards, which includes approving all rule changes. – *Effective July 1, 2016*

**Guardianship** (HB 954): Creates the Uniform Jurisdiction Guardianship Act to allow a guardian to transfer the guardianship or conservatorship to another state without having to apply for a new order to maintain guardianship. – *Effective July 1, 2016*

**Cancer Treatment** (HB 965): “The Honorable Jimmy Carter Cancer Treatment Access Act” requires health insurance coverage for advanced cancer treatment to all stage four metastatic cancer patients in Georgia. These patients will have the option to start their treatment at the most aggressive level if prescribed by their physician. – *Effective July 1, 2016*

**ER Workers** (HB 979): Establishes mandatory sentencing from five to 20 years for offenders convicted of violence against emergency department personnel and emergency medical services personnel. – *Effective July 1, 2016*

**Nurse Aide Registry** (HB 1037): Requires Georgia’s Nurse Aide Registry to include nurse aides who work in licensed facilities or who provide services in temporary or permanent private residences. – *Effective July 1, 2016*

**Rental Networks** (SB 158): Establishes regulations governing insurance rental networks, with an exemption for ERISA plans. – *Effective July 1, 2016*

**Emergency Volunteers** (SB 230): Establishes a state volunteer health practitioner system to provide care during a state of emergency. – *Effective July 1, 2016*

**Rural Hospital Tax Credits** (SB 258): Allows individuals and corporations to receive income tax credits for donations made to certain critical access hospitals or tax-exempt hospitals located in a rural county. – *Effective April 26, 2016*

**Mental Health Admittance** (SB 271): Addresses the policies and procedures that emergency receiving facilities must follow upon the admittance of a mental health patient. – *Effective July 1, 2016*

**POLST** (SB 305):Requires DPH to submit any changes to the POLST (Physician Order for Life Sustaining Treatment) form to both the House and Senate Health and Human Services Committees at least 60 days prior to implementation. – *Effective July 1, 2016*

**Pregnancy Resource Centers** (SB 308): Establishes a grant program within DPH to award grants to nonprofit organizations that provide pregnancy support services. The legislature appropriated $2 million for these grants in the FY17 budget. – *Effective July 1, 2016*

**Licensed Professional Counselors** (SB 319): Allows licensed professional counselors to diagnose patients within their scope of practice and also defines “psychological testing” within a licensed psychologist’s scope of practice. – *Effective April 26, 2016*

**Methadone Clinics** (SB 402): Places a temporary moratorium on new licenses for narcotic treatment programs through June 30, 2017, while also creating the State Commission on Narcotic Treatment Programs to evaluate current licensure requirements. – *Effective June 1, 2016*

**III. BILLS THAT WERE VETOED**

**Religious Liberty** (HB 757): Governor Nathan Deal vetoed HB 757, the so-called religious liberty bill, shortly after the legislative session ended. He pointed to the “broad protections” under the First Amendment that are intended to safeguard religious liberty. Click [here](https://gov.georgia.gov/press-releases/2016-03-28/deal-veto-hb-757) for the Governor’s full veto message.

While the bill went through several revisions throughout the session, the final version that received approval from the legislature combined the original Pastor Protection Act and Religious Freedom Restoration Act (RFRA) with elements of the First Amendment Defense Act (FADA). OGCA worked closely with the Metro Atlanta Chamber of Commerce and Georgia Prospers to advocate for a diverse, inclusive and welcoming state.

When this version received final legislative approval, Emory continued to voice opposition to the legislation and worked in collaboration on a daily basis with the aforementioned Georgia Prospers, the coalition of the state’s top businesses and the Atlanta and Georgia Chambers.

**Campus Carry** (HB 859): The General Assembly concluded its session without addressing any of Gov. Deal’s concerns regarding HB 859, which allows campus carry at public universities and colleges. OGCA worked with GICA to ensure private universities were exempt from the bill. Click [here](https://gov.georgia.gov/press-releases/2016-05-03/deal-issues-2016-veto-statements) for the Governor’s veto message.

**Gun Clean Up Bill** (HB 1060): Considered a clean up bill to the “guns everywhere” legislation that passed in 2014. Click [here](https://gov.georgia.gov/press-releases/2016-05-03/deal-issues-2016-veto-statements) for the Governor’s veto message.

**Pharmacy Audits** (HB 916): Amends the Pharmacy Audit Bill of Rights to state that clerical or record-keeping errors shall not constitute fraud or the basis of a recoupment. The Governor’s veto message stated:

I support efforts to focus Medicaid provider audits on incorrect payment amounts, fraud, and abuse rather than identifying routine clerical errors. This bill, however, would modify the reimbursement policies of every department, agency, board, commission, or authority of state government. This is unnecessary and may interfere with the efficient processing of payments and sound fiscal management practices. For these reasons, I VETO HB 916.

**IV. BILLS THAT DID NOT PASS**

**Pain Clinics** (HB 212): Would have allowed pain management clinics with a certified registered nurse anesthetist on site to provide medical treatment.

**Dental Carve-Out** (HB 537): Sought to carve out pediatric dental care from the state’s Medicaid managed care system and require the state to contract with a single administrator.

**Durable Medical Equipment** (HB 569): Would provide for the licensure of durable medical equipment suppliers.

**Dental Hygienists** (HB 684): Would allow dental hygienists, under the authorization of a licensed dentist, to practice in safety-net settings without the dentist present.

**Medical Marijuana** (HB 722/SB 134): Attempts were unsuccessful to amend last year’s medical marijuana law, which included allowing for in-state cultivation and expanding the list of conditions.

**Super Speeder Fines** (HB 731): Would decrease the Super Speeder threshold for commercial vehicle operators to 10 MPH over the speed limit, the fines of which are used to fund trauma centers throughout the state.

**Fetal Tissue** (HB 762): The OGCA Team began preparing for legislative action regarding fetal tissue last fall when it became evident that a bill to prohibit the purchase or sale of fetal tissue in Georgia would be introduced. OGCA worked with the author of the bill to ensure that the language drafted did not in any way impede Emory’s research. The bill eventually stalled in the Senate Rules Committee, failing to receive final passage.

**Motorcycle Helmets** (HB 797): Would repeal the requirement for adults 18 and older to wear a helmet while driving or riding a motorcycle.

**Medical Record Fees** (HB 810): Would prohibit providers from charging copy fees for copies of a patient’s medical bill or for any records provided electronically.

**Expedited Partner Therapy** (HB 813): Would authorized physicians, advanced practice registered nurses (APRN) or physician assistants (PHA) to provide expedited partner therapy to patients diagnosed with chlamydia or gonorrhea that would provide their sexual partner with the proper antibiotics without a physician exam.

**Nurse Practitioner** (HB 944): Would allow nurse practitioners to pronounce the death of a patient in a nursing home in the absence of a physician.

**Preceptor Tax Credit** (HB 997): Would transition the existing Preceptor Tax Incentive Program (PTIP) from a tax deduction to a tax credit for community-based faculty preceptors.

**CON** (HB 1055):A bill to entirely repeal Georgia’s Certificate of Need (CON) program stalled after the House Governmental Affairs Committee decided it will study the issue during the interim. OGCA worked with Emory Healthcare leadership and the Georgia Hospital Association (GHA) on this bill and will closely monitor the issue over the coming months.

**PA Prescribing** (SB 115): Would allow physician assistants to prescribe a 15-day supply of a hydrocodone compound product.

**Nurse Practice Act** (SB 314): Would give statutory authority to the Board of Nursing to license and oversee Advanced Practice Registered Nurses (APRN).

**Campus Assault** (SB 322): Would require campus policemen and security personnel to report any allegation of sexual assault to local law enforcement for investigation.

**Uninsured Coverage** (SB 368): Would create a state-run premium assistance program for those who earn under 138% of the federal poverty level and therefor do not currently meet the requirements for Medicaid.

**Stem Cell Treatment** (SB 381): Sought to ensure individuals be allowed to use their own stem cells for treatment.

**Balance Billing** (SB 382): Addressed surprise billing practices for patients who receive out-of-network services and are then billed for the balance of their account.

**V. STUDY COMMITTEES** Enactment of the committees listed below is subject to appointment by leadership in the chamber of origin.

House Study Committee on Mental Illness Initiative, Reform, Public Health, and Safety (HR 1093)

House Study Committee on Regional Transit Solutions (HR 1605)

Senate Data Security and Privacy Study Committee (SR 360)

Senate Higher Education Access and Success for Homeless and Foster Youth Study Committee (SR 467)

Senate Study Committee on the Legislative Process (SR 842)

Senate Surprise Billing Practices Study Committee (SR 974)

Senate Study Committee on Higher Education Affordability (SR 1001)

Senate Study Committee on the Premium Assistance Program (SR 1056)

Senate Study Committee on Nonembryonic and Nonfetal Cell Therapy (SR 1059)

Senate Regional Transit Solutions Study Committee (SR 1085)

Senate Study Committee on Hearing Aids for Children (SR 1091)

Senate Emergency Cardiac Care Centers Study Committee (SR 1154)

Senate Opioid Abuse Study Committee (SR 1165)

The OGCA Team will closely monitor the development and implementation of these study committees over the coming months. We expect that the results of these committee discussions will inform legislative action next year. Look for updates in future editions of Emory Capitol Report.