

**NOT GERMANE**

Senators Dolezal of the 27th, Cowser of the 46th and Watson of the 1st offered the following amendment:

1 *Amend the Senate Committee on Health and Human Services substitute to HB 1355 (LC 33*  
2 *9135S) by inserting after "contingency;" on line 5 the following:*

3 to amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to  
4 exemptions from certificate of need requirements, so as to provide an exemption for acute  
5 care hospitals established in rural counties that meet certain criteria; to provide for related  
6 matters;

7 *By inserting between lines 7 and 8 the following:*

8 **PART I**

9 *By redesignating Sections 1 through 6 as Sections 1-1 through 1-6, respectively.*

10 *By inserting between lines 186 and 187 the following:*

11 **PART II**

12 **SECTION 2-1.**

13 Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions  
14 from certificate of need requirements, is amended in subsection (a) by striking "and" at the  
15 end of paragraph (28), by replacing the period at the end of paragraph (29) with "; and", and  
16 by adding a new paragraph to read as follows:

17 ”(30)(A) An acute care hospital in a rural county, as defined in Code Section 31-8-9.1,  
18 that meets the following qualifications as of June 30, 2022, and that on or after July 1,  
19 2022, but prior to July 1, 2024, relocates such hospital to another location within the  
20 county, regardless of whether it increases its bed capacity:

21 (i) Provides inpatient hospital services;

22 (ii) Participates in both Medicaid and Medicare and accepts both Medicaid and  
23 Medicare patients;

24 (iii) Provides health care services to indigent patients;

25 (iv) Has at least 10 percent of its annual net revenue categorized as indigent care,  
26 charity care, or bad debt;

27 (v) Annually files IRS Form 990, Return of Organization Exempt From Income Tax,  
28 with the department, or for any hospital not required to file IRS Form 990, the  
29 department will provide a form that collects the same information to be submitted to  
30 the department on an annual basis;

31 (vi) Is operated by a county or municipal authority pursuant to Article 4 of Chapter  
32 7 of this title or is designated as a tax-exempt organization under Section 501(c)(3)  
33 of the Internal Revenue Code;

34 (vii) Is current with all audits and reports required by law; and

35 (viii) Has a three-year average patient margin, as a percent of expense, less than one  
36 standard deviation above the state-wide three-year average of organizations defined  
37 in divisions (i) through (vii) of this subparagraph, as calculated by the department.  
38 For purposes of this division, the term 'patient margin' means gross patient revenues  
39 less contractual adjustments, bad debt, indigent and charity care, other uncompensated  
40 care, and total expenses.

41 (B) In the event that the county in which an acute care hospital established in  
42 accordance with this paragraph is located no longer meets the definition of a rural  
43 county after such hospital has commenced operations, the hospital shall be deemed to

44 continue to meet the requirements of this paragraph for as long as such hospital  
45 continues to operate."

46 *By striking lines 187-192 and inserting in its place the following:*

47

**PART III**

48

**SECTION 3-1.**

49 (a) Except as otherwise provided in this Section, this Act shall become effective on July 1,  
50 2022.

51 (b) Part I of this Act shall become effective only upon the effective date of a specific  
52 appropriation of funds for purposes of this Act, as expressed in a line item making specific  
53 reference to this Act in a General Appropriations Act enacted by the General Assembly.

54

**SECTION 3-2.**

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