

House Bill 527

By: Representatives Newton of the 123rd, Beverly of the 143rd, Harden of the 148th, and Jasperse of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 14 of the Official Code of Georgia Annotated, relating to
2 professional corporations, so as to provide that podiatrists may jointly own a professional
3 corporation with other physicians; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 7 of Title 14 of the Official Code of Georgia Annotated, relating to professional
8 corporations, is amended by revising Code Section 14-7-4, relating to professional services
9 provided by professional corporations, as follows:

10 "14-7-4.

11 (a) As used in this Code section, the term 'physician' means an individual licensed to
12 practice medicine under Article 2 of Chapter 34 of Title 43, the 'Medical Practice Act of
13 the State of Georgia.'

14 ~~(a)~~(b) A professional corporation may practice only one profession, but for the purpose of
15 this chapter, (1) the practice of architecture, professional engineering, and land surveying
16 shall be considered the practice of only one profession to the extent that existing laws
17 permit overlapping practices by members of those specific professions not inconsistent
18 with the ethics of the professions involved, ~~and~~ (2) to the extent not inconsistent with the
19 ethics of the professions involved or otherwise prohibited by law, physicians specializing
20 in ophthalmology ~~that~~ who are practicing within their scope of practice as established by
21 law may organize and jointly own a professional corporation with optometrists ~~that~~ who
22 are practicing within their scope of practice as established by law; provided, however, that
23 nothing in this paragraph shall authorize optometrists to attach the title 'physician' to such
24 optometrists' names or to the name of the professional corporation, and (3) to the extent not
25 inconsistent with the ethics of the professions involved or otherwise prohibited by law,
26 physicians and surgeons licensed to practice podiatric medicine under Chapter 35 of

27 Title 43, the 'Georgia Podiatry Practice Act,' who are practicing within their scope of
28 practice as established by law may organize and jointly own a professional corporation
29 with other physicians who are practicing within their own scope of practice, regardless of
30 specialty, as established by law.

31 ~~(b)~~(c) A professional corporation shall engage in the practice of a profession only through
32 its officers, employees, and agents who are duly licensed or otherwise legally authorized
33 to practice the profession in this state. This restriction shall not, however, prevent the
34 corporation from employing unlicensed persons in capacities in which they are not
35 rendering professional services to the public in the course of their employment.

36 ~~(c)~~(d) At least one member of the board of directors and the president of a professional
37 corporation shall be licensed to practice the profession for which the corporation is
38 organized. If the governing board of a professional corporation includes persons not so
39 licensed, the corporation shall, by creation of a standing committee of the board or
40 otherwise, vest the responsibility for decisions relating wholly to professional
41 considerations in persons who are so licensed."

42 **SECTION 2.**

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