

House Bill 606

By: Representative Knight of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to private home care providers, so as to revise the definition of private home care
3 provider to exclude from the definition contractual arrangements with independent
4 contractors; to change certain provisions concerning certain employees; to revise exempt
5 services; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
9 private home care providers, is amended by revising paragraph (4) of Code Section 31-7-300,
10 relating to definitions, as follows:

11 "(4) 'Private home care provider' means any person, business entity, corporation, or
12 association, whether operated for profit or not for profit, that directly provides or makes
13 provision for private home care services through:

14 (A) Its own employees or agents; or

15 ~~(B) Contractual arrangements with independent contractors; or~~

16 ~~(C)~~(B) Referral of other persons to render home care services, when the individual
17 making the referral has ownership or financial interest in the delivery of those services
18 by those other persons who would deliver those services.

19 Private home care providers shall only include individuals who are employees, and not
20 independent contractors, of a private home care provider or another employer who
21 contracts with such private home care provider."

22 **SECTION 2.**

23 Said article is further amended by revising paragraph (1) of Code Section 31-7-305, relating
24 to exempt services, as follows:

