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House Bill 606

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By: Representative Knight of the 130th

A BILL TO BE ENTITLED AN ACT

1 7	To amend Article	13 of (Chapter 7	of Title 3	1 of the	Official	Code of	Georgia	Annotated.
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- 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.

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:

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25 "(1) When those services are provided directly by an individual, either with or without 26 compensation, and not by agents or employees of the individual and not through 27 independent contractors or referral arrangements made by an individual who has 28 ownership or financial interest in the delivery of those services by others who would 29 deliver those services;"

30 **SECTION 3.**

31 All laws and parts of laws in conflict with this Act are repealed.