

The House Committee on Rules offers the following substitute to HR 603:

A RESOLUTION

1 Creating the House Study Committee on Certificate of Need Modernization; and for other
2 purposes.

3 WHEREAS, Georgia adopted certificate of need laws because of a mandate of the federal
4 government under the National Health Planning and Resources Development Act that was
5 enacted in 1974; and

6 WHEREAS, by the early 1980's, all states, including Georgia, had adopted such laws
7 because if they did not, they put federal funds at risk; and

8 WHEREAS, in 1986, the federal government repealed the mandate after determining that the
9 certificate of need laws were not accomplishing the intended goals, and many states followed
10 suit. Today, the largest states in the country do not have certificate of need laws, including
11 Texas, California, and Florida; and

12 WHEREAS, Georgia has amended its certificate of need laws several times, but such
13 amendments have been very limited; and

14 WHEREAS, thus, although there have been significant changes in the past 40 years in the
15 healthcare landscape, Georgia has not modernized its certificate of need laws to reflect those
16 changes; and

17 WHEREAS, as of 2020, Georgia ranked an astonishing number six in the nation for the
18 number of certificate of need regulated services (tied with New York); and

19 WHEREAS, under Georgia's current certificate of need laws have not stopped hospitals from
20 closing across Georgia, and the lost services resulting from such closures cannot be easily
21 replaced by alternatives because of the certificate of need laws; and

22 WHEREAS, a broad base of organizations, public policy think tanks, payers, and healthcare
23 providers are working together in the legislative session for a calm, truthful, and deliberative
24 dialog to modernize Georgia's very outdated certificate of need laws.

25 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

26 (1) **Creation of House study committee.** There is created the House Study Committee
27 on Certificate of Need Modernization.

28 (2) **Members and officers.** The committee shall be composed of seven members of the
29 House of Representatives to be appointed by the Speaker of the House of
30 Representatives. The Speaker shall also appoint four additional nonlegislative members
31 with expertise or qualifications as determined by the Speaker. The Speaker shall
32 designate a legislative member of the committee as chairperson of the committee.

33 (3) **Powers and duties.** The committee shall undertake to study the conditions, needs,
34 issues, and problems mentioned above or related thereto and recommend any action or
35 legislation which the committee deems necessary or appropriate.

36 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
37 may conduct such meetings at such places and at such times as it may deem necessary or
38 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
39 accomplish the objectives and purposes of this resolution.

40 (5) **Allowances, expenses, and funding.**

41 (A) The legislative members of the committee shall receive the allowances provided
42 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

43 (B) Members of the committee who are state officials, other than legislative members,
44 or state employees shall receive no compensation for their services on the committee,
45 but they may be reimbursed for expenses incurred by them in the performance of their
46 duties as members of the committee in the same manner as they are reimbursed for
47 expenses in their capacities as state officials or employees.

48 (C) The allowances and expenses authorized by this resolution shall not be received
49 by any member of the committee for more than five days unless additional days are
50 authorized. Funds necessary to carry out the provisions of this resolution shall come
51 from funds appropriated to the House of Representatives; except that funds for the
52 reimbursement of the expenses of state officials, other than legislative members, and
53 state employees shall come from funds appropriated to or otherwise available to their
54 respective agencies.

55 (6) **Report.**

56 (A) In the event the committee adopts any specific findings or recommendations that
57 include suggestions for proposed legislation, the chairperson shall file a report of the
58 same prior to the date of abolishment specified in this resolution, subject to
59 subparagraph (C) of this paragraph.

60 (B) In the event the committee adopts a report that does not include suggestions for
61 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
62 of this paragraph.

63 (C) No report shall be filed unless the same has been approved prior to the date of
64 abolishment specified in this resolution by majority vote of a quorum of the committee.
65 A report so approved shall be signed by the chairperson of the committee and filed with
66 the Clerk of the House of Representatives.

67 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
68 House of Representatives a copy of the minutes of the meetings of the committee in lieu
69 thereof.

70 (7) **Abolishment.** The committee shall stand abolished on December 1, 2023.