

The House Committee on Governmental Affairs offers the following substitute to SB 346:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the  
2 Department of Community Health, so as to provide that at least two members of the board  
3 shall also be members of the state health benefit plan; to provide that two members shall be  
4 members of certain retirement systems; to provide for duties of the Board of Community  
5 Health; to create the State Health Benefit Plan Customer Advisory Council; to provide for  
6 membership; to provide for duties of the commissioner of community health; to provide for  
7 duties of the council; to provide for an effective date; to provide for related matters; to repeal  
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department  
12 of Community Health, is amended in Code Section 31-2-3, relating to the Board of  
13 Community Health, by revising subsections (a) and (b) as follows:

14 ~~“(a) There is reconstituted the~~ The Board of Community Health, as of July 1, 2009, which  
15 shall establish the general policy to be followed by the Department of Community Health.  
16 ~~The powers, functions, and duties of the Board of Community Health as they existed on~~  
17 ~~June 30, 2009, are transferred to the reconstituted Board of Community Health effective~~  
18 ~~July 1, 2009.~~ The board shall consist of nine members appointed by the Governor and  
19 confirmed by the Senate; provided, however, that at least two members of the board shall  
20 be active participants in the state health benefit plan, at least one of whom shall be a  
21 member of the Employees' Retirement System of Georgia and one of whom shall be a  
22 member of the Teachers Retirement System of Georgia; and provided, further, that of those  
23 two members, one shall be a retired member and one shall be an active member of the  
24 respective retirement system. For purposes of this subsection, the term 'state health benefit  
25 plan' shall have the same meaning provided by Code Section 31-2-2.

26 ~~(b) Board members in office on June 30, 2009, shall serve out the remainder of their~~  
 27 ~~respective terms and successors to these board seats shall be appointed in accordance with~~  
 28 ~~this Code section. Thereafter, all succeeding appointments~~ All appointments to the board  
 29 shall be for three-year terms from the expiration of the previous term."

30 **SECTION 2.**

31 Said chapter is further amended in Code Section 31-2-4, relating to the department's powers,  
 32 duties, functions, and responsibilities, divisions, directors, and contracts for health benefits,  
 33 by revising paragraph (1) of subsection (d) as follows:

34 "(1) Shall be the lead agency in coordinating and purchasing health care benefit plans for  
 35 state and public employees, dependents, and retirees and may also coordinate with the  
 36 board of regents for the purchase and administration of such health care benefit plans for  
 37 its members, employees, dependents, and retirees and shall seek the counsel of the State  
 38 Health Benefit Plan Customer Advisory Council created by Code Section 31-2-12 in  
 39 performing the duties imposed by paragraph (1) of this subsection;"

40 **SECTION 3.**

41 Said chapter is further amended by adding a new Code section to read as follows:

42 "31-2-12.

43 (a) There is created the State Health Benefit Plan Customer Advisory Council to advise  
 44 the commissioner on components, provisions, elements, strategies, marketing, and  
 45 customer satisfaction of the state health benefit plan.

46 (b) The council shall be composed of 12 members, all of whom are participants in the state  
 47 health benefit plan and each of whom is an active or retired member of the Employees'  
 48 Retirement System of Georgia or the Teachers Retirement System of Georgia. At least  
 49 three members shall be retired members of the Teachers Retirement System of Georgia,  
 50 and at least two members shall be retired members of the Employees' Retirement System  
 51 of Georgia. Each member of the council shall be appointed by the commissioner from  
 52 nominations provided by nonprofit associations and state department human resource units  
 53 which represent at least 1,000 members of the state health benefit plan. The members shall  
 54 serve without compensation or reimbursement of expenses.

55 (c) The commissioner shall select a chairperson and a vice chairperson. The council shall  
 56 meet at least three times per year at the call of the commissioner or upon the call of the  
 57 chairperson. The council may accept the assistance of the commissioner in administrative  
 58 functions of the council.

59 (d) The commissioner shall meet with the council to solicit input and consult with its  
60 members in the development of changes to the state health benefit plan prior to presenting  
61 such changes to the board for approval.

62 (e) The commissioner shall present implementation strategies and logistics to the council  
63 for advice prior to the adoption and implementation of such strategies and logistics.

64 (f) The commissioner may solicit councilmembers' organizations in informing and  
65 educating active and retired state health benefit plan participants of changes in such plans  
66 or other issues prior to the adoption of such changes by the board.

67 (g) The commissioner shall provide the council with all departmental state health benefit  
68 plan recommendations to be made to the board and shall provide the council chairperson  
69 the opportunity on behalf of the council to make comments to the board prior to the board  
70 taking action on such recommendations."

71 **SECTION 4.**

72 This Act shall become effective on July 1, 2014; provided, however, that nothing in this Act  
73 shall affect the term of office of any member of the Board of Community Health in office on  
74 July 1, 2014, who shall serve out the remainder of his or her respective term.

75 **SECTION 5.**

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