

Senate Bill 357

By: Senators James of the 35th, Rhett of the 33rd and Davenport of the 44th

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 31, 33, 43, and 45 of the Official Code of Georgia Annotated, relating to
2 health, insurance, professions and businesses, and public officers and employees,
3 respectively, so as to provide for a limb salvage protocol and treatment to prevent or delay
4 limb amputation in whole or in part, due to diabetes, peripheral artery disease, or other
5 medical conditions; to provide for inclusion of limb salvage protocols and treatments in the
6 Georgia Diabetes Control Grant Program; to require hospitals and ambulatory surgical
7 centers to adopt policies to provide for a limb salvage protocol; to provide for the coverage
8 of podiatric services; to provide for coverage of healthcare services related to a limb salvage
9 protocol or treatment; to require the State Board of Podiatry Examiners to establish a limb
10 salvage protocol and treatment; to mandate the state health benefit plan to cover healthcare
11 services related to a limb salvage protocol or treatment; to provide for related matters; to
12 provide for an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
16 subsection (c) of Code Section 31-2A-14, relating to Georgia Diabetes Control Grant

17 Program, advisory committee, administration of authorized grant programs, and grant
18 criteria, as follows:

19 "(c) The Georgia Diabetes Control Grant Program shall be authorized to administer two
20 grant programs targeted at new, expanded, or innovative approaches to address diabetes as
21 follows:

22 (1) A program to provide grants to middle schools and high schools to promote the
23 understanding and prevention of diabetes may be established by the program. Such
24 grants shall be provided through the appropriate local board of education. Grant requests
25 shall contain specific information regarding requirements as to how the grant should be
26 spent and how such spending promotes the understanding and prevention of diabetes.
27 Grant recipients shall be required to provide the advisory committee with quarterly
28 reports of the results of the grant program; and

29 (2) A program to provide grants to health care providers for support of evidence based
30 diabetes programs for education, screening, disease management, and self-management
31 targeting populations at greatest risk for pre-diabetes, diabetes, and the complications of
32 diabetes, such as whole or partial limb amputation; and grants may also be awarded to
33 address evidence based activities that focus on policy, systems, and environmental
34 changes that support prevention, early detection, and treatment of diabetes, including
35 establishing limb salvage protocols and limb salvage treatments. Eligible entities shall
36 include community and faith based clinics and other organizations, federally qualified
37 health centers, regional and county health departments, hospitals, and other public
38 entities, and other health related service providers which are qualified as exempt from
39 taxation under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986.
40 Such entities shall have been in existence for at least three years, demonstrate financial
41 stability, utilize evidence based practices, and show measurable results in their programs."

SECTION 2.

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43 Said title is further amended in Article 1 of Chapter 7, relating to regulation of hospitals and
44 related institutions, by adding a new Code section to read as follows:

45 "31-7-23.2.

46 Each hospital and ambulatory surgical center shall adopt a limb salvage protocol to prevent
47 or delay the amputation of an arm, hand, foot, leg, or digits thereof, in whole or in part, due
48 to complications from diabetes, peripheral artery disease, or other medical conditions.

49 Such protocol shall include, but not be limited to:

50 (1) Communication with a podiatrist, emergency medical physician, vascular and general
51 surgeon, cardiologist, or other medical professional to determine general best practices
52 to prevent or delay such amputation;

53 (2) Consultation with a podiatrist, emergency medical physician, vascular and general
54 surgeon, cardiologist, or other medical professional to determine a specific response to
55 a patient's care prior to such amputation;

56 (3) Recommendation of testing, screening, and other preventive measures posted for the
57 general public regarding diabetes, peripheral artery disease, and other risks associated
58 with such amputation; and

59 (4) Recommendation of testing, screening, and other preventive measures provided to
60 a patient regarding diabetes, peripheral artery disease, and other risks associated with
61 such amputation."

SECTION 3.

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63 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
64 adding a new Code section to read as follows:

65 "33-24-27.3.

66 Notwithstanding any provisions in policies which might be construed to the contrary, all
67 health benefit policies which are issued, delivered, issued for delivery, amended, or

68 renewed in this state and which provide coverage for healthcare services which are within
69 the lawful scope of practice of a podiatrist duly licensed to practice in this state shall be
70 deemed to provide that any person covered under such policies shall be entitled to receive
71 reimbursement for healthcare services, including limb salvage treatment, to prevent or
72 delay the amputation of an arm, hand, foot, leg, or digits thereof, in whole or in part, due
73 to complications from diabetes, peripheral artery disease, or other medical conditions,
74 under such policies regardless of whether such services are rendered by a duly licensed
75 doctor of medicine, doctor of podiatric medicine, podiatrist, or chiroprapist."

76 **SECTION 4.**

77 Said title is further amended by adding a new Code section to read as follows:

78 "33-24-59.34.

79 (a) Every health benefit policy shall provide coverage for limb salvage treatment to
80 prevent or delay the amputation of an arm, hand, foot, leg, or digits thereof, in whole or in
81 part, due to complications from diabetes, peripheral artery disease, or other medical
82 conditions.

83 (b) The Commissioner shall promulgate rules and regulations relating to standards of limb
84 salvage treatment provided for in subsection (a) of this Code section, after consultation
85 with the Department of Public Health. Such rules and regulations shall be adopted in
86 accordance with the provisions of Code Section 33-2-9.

87 (c) The benefits provided in this Code section shall be subject to the same annual
88 deductibles or coinsurance established for all other covered benefits within a given policy.

89 (d) Private third-party payors shall not reduce or eliminate coverage due to the
90 requirements of this Code section.

91 (e) Enforcement of the provisions of this Code section shall be performed by the
92 Commissioner."

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SECTION 5.

94 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
95 is amended by revising Code Section 43-35-9, relating to duties of the State Board of
96 Podiatry Examiners, as follows:

97 "43-35-9.

98 The board shall:

99 (1) Approve all examinations of applicants for licensure;

100 (2) Determine the qualifications of and authorize the issuance of licenses to qualified
101 podiatrists and podiatric residents;

102 (3) Determine the qualifications and approve qualified colleges of podiatric medicine and
103 courses in podiatry for the purpose of determining the qualifications of applicants for
104 licensure;

105 (4) Prescribe and enforce minimum standards of professional conduct for the practice of
106 podiatric medicine in this state;

107 (4.1) Develop evidence based limb salvage protocols and treatments for the practice of
108 podiatric medicine in this state and recommendations for diagnoses, treatments, and
109 preoperative, operative, and postoperative procedures to prevent or delay limb
110 amputations, in whole or in part, due to diabetes, peripheral artery disease, and other
111 medical conditions;

112 (5) Initiate investigations into alleged or suspected violations of the provisions of this
113 chapter or any other law of this state pertaining to podiatry and any rules and regulations
114 adopted by the board;

115 (6) Conduct all hearings in contested cases according to state law;

116 (7) Suspend, revoke, or cancel the license of, or refuse to grant, renew, or restore a
117 license to any person upon any ground specified in this chapter;

- 118 (8) Adopt a seal, the imprint of which, together with the authorized signature of the
119 division director or other member authorized by the board, shall be effective to evidence
120 its official acts;
- 121 (9) Maintain in the office of the division director a register of all persons holding a
122 license; and
- 123 (10) Adopt such rules and regulations as shall be reasonably necessary for the
124 enforcement and implementation of the provisions and purposes of this chapter and other
125 laws of this state insofar as they relate to the practice of podiatric medicine."

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SECTION 6.

127 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
128 is amended by adding a new Code section to read as follows:

129 "45-18-4.2.

130 (a) Beginning January 1, 2025, the state health benefit plan shall provide coverage for a
131 healthcare service related to a limb salvage protocol or treatment when an attending
132 healthcare provider has submitted documentation that such service is medically necessary
133 to prevent or delay the amputation of an arm, hand, foot, leg, or digits thereof, in whole or
134 in part, due to diabetes, peripheral artery disease, or other medical conditions.

135 (b) The coverage required under subsection (a) of this Code section may be subject to
136 exclusions, reductions, or other limitations as to coverages, deductibles, or coinsurance
137 provisions.

138 (c) Nothing in this Code section shall be construed to prohibit the board from contracting
139 to provide state health benefit plan benefits greater than the coverage required by
140 subsection (a) of this Code section."

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SECTION 7.

142 This Act shall become effective upon its approval by the Governor or upon its becoming law
143 without such approval.

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SECTION 8.

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