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House and Senate Working Toward Agreement on Final Budget

While the House and Senate worked long days and voted on many pieces of legislation, they have yet to complete work on the one piece of legislation that, according to the Georgia Constitution, must be passed each year—the state budget. Only two legislative days remain in the session, as the General Assembly is scheduled to adjourn Sine Die on Thursday, March 29.

Hidden Predator Act

When first introduced, [HB 605](#) (Rep. Jason Spencer, 180th), the Hidden Predator Act of 2018, allowed plaintiffs of any age to file a civil suit for injuries resulting from childhood sexual abuse for a period of two years—from July 1, 2018, to June 30, 2020. Extensive work was done on the bill in the House Judiciary Committee in response to expressed concerns. HB 605 was further amended by the Senate Judiciary Committee, which passed its version of the bill last Thursday. The bill's sponsor, Rep. Jason Spencer, expressed concerns about the Senate's version and said he'll ask the House to disagree with the changes if the Senate passes it in its current form. House disagreement would require the appointment of a House-Senate conference committee to reconcile differences between the two versions.

Distracted Driving Legislation

[HB 673](#) (Rep. John Carson, 46th), the distracted driving bill, has also generated much discussion among legislators. The original version of the bill, which required drivers to use hands-free technology with wireless phones while operating a vehicle, was amended in the House Judiciary Non-Civil Committee and on the House floor prior to passage. HB 673 was then assigned to the Senate Judiciary Committee, where opponents expressed concerns about government overreach. Strong support from law enforcement and highway safety officials and an endorsement by Gov. Nathan Deal created new momentum for the bill, and the Senate Judiciary Committee passed it last Thursday. The bill is now in the Senate Rules Committee, which determines which pieces of legislation make it to the Senate floor for a vote.

Budget

The Senate passed its version of the FY19 budget last Friday, and the House disagreed with it. House and Senate budget conferees began meeting that afternoon to work toward an agreement on a final version.

The Senate agreed with the House on restoring \$238,500 to bring each Georgia Family Connection Collaborative's appropriation back to \$50,000. The Senate also restored \$50,000 to Georgia Family Connection Partnership to provide technical assistance to the counties.

Other highlights of the FY19 budget passed by the Senate include:

Department of Behavioral Health and Developmental Disabilities

- The Senate added \$4 million to create a substance abuse and recovery block grant program.
- The House added \$1.4 million for the development and statewide availability of a mental health crisis services and suicide prevention mobile application in coordination with the Georgia Crisis and Access hotline. The Senate reduced the funding to \$831,073.

Department of Community Affairs

- The governor's budget cut \$25,000 in one-time funds for Second Harvest of South Georgia. The House restored the funds, while the Senate agreed with the governor's recommendation to cut them.
- The Senate included \$25,000 for funds for the Clayton County Food Pantry.

Department of Community Health

- The House included \$250,000 for startup of a Rural Health Systems Innovation Center, and the Senate increased the funding to \$300,000.
- The Senate included \$1.5 million for a new Health Coordination and Innovation Council.
- The Senate added \$335,188 (total funds: \$1,042, 250) for a \$250 add-on payment for newborn delivery in rural counties with a population less than 35,000.

Department of Education

- The governor's budget reduced funds for school nurses by \$580,542. The House disagreed with the reduction and added \$51,233 to increase funds for school nurses. The Senate agreed with the House's change.
- The House added \$642,500 to purchase and staff a mobile audiology clinic to provide audiological care to children in rural Georgia. The Senate reduced the funding to \$342,500.
- The House added \$227,570 for the Turnaround Schools Rural Character Education Grant for soft skills training and character education development for the lowest-performing schools in rural Georgia. The

Senate reduced the funding to \$63,630 and added language clarifying that the grant is under the supervision of the Chief Turnaround Officer (CTO).

- The Senate added \$266,371 for personnel and operations for two transformation specialists in the CTO program.
- The House added \$10 million for an annual allotment for school bus replacement. The Senate reduced the funding to \$5 million and added \$5 million in bonds for new buses.

Department of Human Services

- The House added \$490,000 to increase funds for child advocacy centers to provide an increase in equipment and therapeutic, medical, and outreach services. The Senate increased the funding to \$980,000.
- The governor's budget included funds for a \$2.50 increase for relative foster care and child placement agency foster parent per diem rates. The House added funding to increase the per diem rates by \$3.75. The Senate added even more funding to increase the per diem rates by \$3.85.
- The House added \$238,500 to Family Connection to restore each county's allocation to \$50,000. The Senate agreed.
- The Senate added \$50,000 to support Georgia Family Connection Partnership technical assistance for the counties.

Department of Public Health

The House added \$551,858 to increase occupational and physical therapy rates in the Babies Can't Wait program. The Senate included speech therapy in the rate and increased the funding to \$1,103,716.

Governor's Office of Student Achievement

The Senate added \$481,788 in state funds (total funds: \$796,788) for an Americorps program to be established at the Commodore Conyers College and Career Academy in conjunction with Dougherty County Schools and Albany State University to provide direct math assistance to 4th - 8th grade students at low-performing schools in Dougherty County identified by the CTO.

Student Finance Commission

The governor's budget included \$34 million in additional dual-enrollment funding to meet the projected need. The House reduced the funding to \$26.7 million and added language stating that the funding would be based on the implementation of 15 credit hours per student per semester and a policy requiring that courses be taught by higher education faculty not directly employed by a high school effective Jan. 1, 2019. The Senate agreed with the funding increase but not the policy requiring that courses be taught by faculty not directly employed by high schools—so that language was removed in the Senate version.

Schedule

Legislators were in session Monday, Wednesday, and Friday last week, completing 38 of 40 days. They are scheduled to be in session Tuesday and Thursday this week. The final day of the session, Sine Die, is scheduled for Thursday, March 29.

Legislation

The following bills related to children and families have been introduced this session.



HB 669 (Rep. Robert Trammell, 132nd), the “Expand Medicaid Now Act,” requires the appropriation of state dollars to draw down additional federal dollars for Medicaid.

Status: The bill was assigned to the House Appropriations Committee, which held a hearing on the bill on March 22.

SB 118 (Sen. Renee Unterman, 45th), known as Ava’s Law, increases the age for health insurance coverage for individuals with autism spectrum disorder from 6 to 12 and establishes a yearly cap of \$30,000 for coverage of applied behavior analysis treatment.

Status: The Senate passed the bill on Feb. 8. The bill was amended by the House Insurance Committee to raise the age for coverage from age 6 to 20 and the yearly cap to \$35,000. The House passed the bill on March 15, and it now returns to the Senate for agreement to the House changes.



HB 740 (Rep. Randy Nix, 69th) prohibits schools from suspending students in preschool through third grade for more than five days without first receiving a multi-tiered system of supports such as the Response to Intervention program, a four-tier model for identifying and addressing students’ academic and behavioral needs. There will be no prohibition from suspension if the student possessed a weapon or illegal drugs, or if the behavior endangered the safety of other students or school personnel. If a student has a Individualized Education Program (IEP), the school will also convene an IEP meeting to review appropriate supports being provided prior to assigning suspension for more than five days.

Status: The House passed the bill on Feb. 14. The Senate passed the bill on March 21, and it now returns to the House for agreement to the Senate changes.

HB 763 (Rep. Randy Nix, 69th) expands the duties of the School Attendance Protocol Committee to include reviewing and making policy recommendations regarding school climate to promote positive gains in student achievement scores and student and teacher morale while decreasing student suspensions, dropouts, and other negative aspects of the school environment. An amendment adopted by the Senate Education and Youth Committee added language enhancing comprehensive school safety plans.

Status: The House passed the bill on Feb. 15. The Senate passed the bill on March 23, and it now returns to the House for agreement to the Senate changes.

HB 852 (Rep. Michael Smith, 41st) allows a student to remain enrolled in a public school through the end of the school year after the student moves to a different attendance zone.

Status: The House passed the bill on Feb. 28. The Senate passed the bill on March 19, and it now goes to Gov. Nathan Deal for review.

HB 963 (Rep. Buzz Brockway, 102nd) amends current law related to focused programs of study so that the State Workforce Development Board, in consultation with the Georgia Department of Education (GaDOE) and the Technical College System of Georgia, will develop an annual list of high-wage and high-demand industry credentials and state licenses. The bill also requires GaDOE to distribute the information annually to all Georgia middle and high schools. **SB 139** (Sen. Hunter Hill, 6th) was amended to include language from HB 963.

Status of HB 963: The House Education Committee passed the bill on Feb. 23. It was not voted out of the House Rules Committee, so it did not cross.

Status of SB 139: The Senate passed the bill in 2017, but the House Education Committee didn't pass it. That committee passed a substitute version on March 9, which replaced the original language from SB 139 with language from HB 963. The House passed the bill on March 21, and it now returns to the Senate for agreement to the House changes.



STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

HB 927 (Rep. Chad Nimmer, 178th) requires the Division of Family and Children Services (DFCS) to provide certain information to a caregiver, foster parent, pre-adoptive parent, or relative no later than 30 days after placement of a child. This information includes the child's most recent physical and dental exams; any available information on the child's known medical conditions and medications; and recommendations from the child's most recent developmental assessment, trauma assessment, and psychological evaluation.

Status of HB 927: The House passed the bill on Feb. 28. The Senate Health and Human Services Committee stripped the language from HB 927 from the bill on March 14 and replaced it with language from **SB 351** (Sen. Renee Unterman, 45th) that expands some authority for advanced practice nurses. Language from HB 927 has been added to **HB 972** (Rep. Wendell Willard, 51st), which allows DFCS to offer extended care youth services to foster youth between the ages of 18 – 21.

Status of HB 972: The Senate Health and Human Services Committee passed the bill on March 14, and it is now assigned to the Senate Rules Committee.

HB 982 (Rep. Chad Nimmer, 178th) allows a court to excuse the Division of Family and Children Services (DFCS) from continuing its "diligent search" for relatives or fictive kin after six months if the child is living with a foster parent in a stable home environment.

Status: The House passed the bill on Feb. 28. The Senate Health and Human Services Committee passed a substitute version of the bill on March 15, adding clean-up language requested by DFCS. The bill is now assigned to the Senate Rules Committee.



THRIVING COMMUNITIES

HB 494 (Rep. Katie Dempsey, 13th) allows for hearsay evidence to be admitted in preliminary hearings on emergency closures of early care and learning programs, revises the definition of "crime" for purposes of background checks, and provides that background checks aren't valid if an individual has been separated from employment for more than 180 days from an early care and education program.

Status: The bill was introduced in 2017, and the House passed it on Feb. 28, 2018. The Senate passed the bill on March 21, and it now returns to the House for agreement to the Senate changes.

HB 513 (Rep. Pam Dickerson, 113th) requires the Department of Community Health to develop a sign to be posted at all medical facilities to inform the public that such facilities are authorized locations to leave a newborn child.

Status: The bill was introduced in 2017, and the House passed it on Feb. 28, 2018. The Senate Health and Human Services Committee passed a substitute version on March 9, requiring the Department of Health and Human Services to develop standards for signs to be posted at any medical facility and fire or police station to inform the general public that the facility is an authorized location to leave a newborn child. The Senate passed the bill on March 14. The House agreed to the Senate changes on March 21, and it is now with the governor for his review.

HB 605 (Rep. Jason Spencer, 180th), the Hidden Predator Act of 2018, allows plaintiffs of any age to file a civil action for injuries resulting from childhood sexual abuse for a period of two years—from July 1, 2018, to June 30, 2020.

Status: The House passed the bill on Feb. 28. The Senate Judiciary Committee passed a substitute version on March 23. The bill is now assigned to the Senate Rules Committee.

HB 673 (Rep. John Carson, 46th) requires drivers to use hands-free technology with wireless communication devices while operating a motor vehicle.

Status: The House passed the bill on Feb. 28, and the Senate Judiciary Committee passed it on March 23. The bill is now assigned to the Senate Rules Committee.

HB 732 (Rep. Deborah Silcox, 52nd) expands the scope of the law that criminalizes sex trafficking to include the act of patronizing an individual for sexually explicit conduct. **SB 335** (Sen. Renee Unterman, 45th) is a companion bill introduced in the Senate.

Status of HB 732: The House passed the bill on Feb. 23, and the Senate passed it on March 19. The bill is now with the governor for review.

Status of SB 335: The Senate passed the bill on Feb. 28. The House Judiciary Non-Civil Committee passed a substitute version of the bill on March 21, which includes language from **HB 1006** (Rep. Ed Setzler, 35th). HB 1006 addresses sexual assault by a person with supervisory or disciplinary authority. SB 335 is now assigned to the House Rules Committee.

HB 762 (Rep. Wes Cantrell, 22nd) provides for age-appropriate sexual abuse and assault awareness and prevention education in grades K – 9.

Status: The House Education Committee passed the bill on Feb. 15. The House Rules Committee took no action on the bill, so it did not cross. Language from HB 762 was added to **HB 655** (Rep. Rick Williams, 145th), which requires every public school to post a sign containing the toll-free number operated by the Division of Family and Children Services for reporting child abuse or neglect. The House previously passed HB 655 on Feb. 8, and the Senate Education and Youth Committee passed the substitute version with the added language on March 14. HB 655 is now assigned to the Senate Rules Committee.

HB 769 (Rep. Rick Jasperse, 11th) implements recommendations from the House Rural Development Council relating to health care, including establishing micro-hospitals, which would have between two to seven beds and provide 24-hour services in counties with fewer than 50,000 residents, as well as a Rural Center for Health Care Innovation and Sustainability within the Department of Community Health's State Office of Rural Health.

Status: The House passed the bill on Feb. 21 and the Senate passed it on March 15. The House agreed to the Senate changes, and the bill is now with the governor for review.

HB 920 (Rep. Katie Dempsey, 13th) creates a limited exception to the confidentiality of adoption records, allowing the Division of Family and Children Services to share with the Office of the Child Advocate information concerning an adopted child when the child dies, suffers a near fatality, or is an alleged victim of child abuse or neglect.

Status: The House passed the bill on Feb. 28, and the Senate passed it on March 21. The bill is now with the governor for review.

HB 972 (Rep. Wendell Willard, 51st) allows the Division of Family and Children Services (DFCS) to offer extended care youth services to foster youth between the ages of 18 – 21, and amends current law to require a transition plan be completed for every foster child in the 90-day period prior to him or her turning 18.

Status: The House passed the bill on Feb. 28. The Senate Health and Human Services Committee added language requiring that a child sign a voluntary placement agreement with DFCS in order to receive extended care youth services. Language from **HB 927** (Rep. Chad Nimmer, 178th) was also added to the bill, requiring DFCS to provide certain information to a caregiver, foster parent, pre-adoptive parent, or relative no later than 30 days after placement of a child. The Senate Health and Human Services Committee passed the amended version of HB 972, and it is now assigned to the Senate Rules Committee.

HR 1414 (Rep. Rick Jasperse, 11th) creates the House Study Committee on School Security.

Status: The House Special Rules Committee passed the resolution on March 14, and the House adopted it on March 19. No further action is required.