

Georgia Occupational Regulation Review Council (GORRC)

09/05/2019

Georgia State Capitol, Room 125, 11am-12pm

Meeting Minutes

I. Attendees

GORRC Members	Other Attendees and Affiliation
Anna Wrigley Miller, Chair, Governor's Office of Planning and Budget	Advocates:
Absent: Chairman Chuck Hufstetler, Senate	<ul style="list-style-type: none">• Dr. Brent Wolfe• Les Schneider• Dan Kirk• Scott Hilton
Chairman Alan Powell, House of Representatives	OPB Staff:
Kelly Dudley, State Accounting Office	<ul style="list-style-type: none">• Cody Pyle• Cassie Scoggins
Jonna West, Department of Agriculture	
Brent Vendola, Department of Natural Resources	
Jessica Simmons, Department of Revenue	
Gabriel Sterling, Secretary of State	
Christina Ferguson, Department of Public Health	

II. Explanation of GORRC's Purpose and Process:

- a. The purpose of the first meeting is to introduce the legislation
- b. At the second meeting staff will present findings, including background, other states' practices, complaint data and other findings. Additionally, the Council will hear public testimony regarding the proposed legislation.
- c. The third meeting will call on Council to make a recommendation on whether regulation of the occupation is needed, and if so, to recommend the most appropriate and least restrictive way to implement the legislation. By law, the Council considers the following factors when determining whether or not a profession or business should be regulated:
 - i. Whether the unregulated practice of the occupation may harm or endanger the health, safety, and welfare of citizens of this state and whether the potential for harm is recognizable and not remote;
 - ii. Whether the practice of the occupation requires specialized skill or training and whether the public needs and will benefit by assurances of initial and continuing occupational ability;

- iii. Whether the citizens of this state are or may be effectively protected by other means;
- iv. Whether the overall cost effectiveness and economic impact would be positive for citizens of this state; and
- v. Whether there are means other than state regulation to protect the interests of the state.

III. Speakers (Testimony)

Anna Wrigley Miller, Chair, Office of Planning and Budget

So, we are gonna get started. I am going to try to talk loudly because the AC is very loud, but I am appreciative of the AC. So today we are going to do two bills. The first thing we are going to do is finish up the vote on the 704 Bill. And councilmembers, what you've got is a binder for the new bill, and under you have the report that we're voting on and I sent you yesterday. And then a couple more letters of public comment. That's what you've got in your packets. First thing, I'd like to vote to approve the minutes from last meeting.

Chairman Alan Powell, Georgia House of Representatives

Move.

Gabriel Sterling, Georgia Secretary of State's Office

Second.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Aye? Raise your hand for yes. Perfect. Now, moving on, does anyone have a comment that they want to make about the report for 704?

Gabriel Sterling, Georgia Secretary of State's Office

As I mentioned last meeting, we're in an environment where we're looking to cut costs in the state. We were just talking at the table that most of us have to submit our cuts today or tomorrow to the governor and OPB staff, and one of the things the Secretary wanted to look at was: we keep doing licenses and we're following paths and ways of regulating, doing things the way we did in the 40s, 50s, 60s, and 70s. We just kind of keep on doing similar things throughout the years. And he would like, if there is some way through the GORRC process... now, I'm pretty good with what we're doing with this particular thing right now because it's following the path that we have. This is the licensing system we have, this is a little more streamlined way to do it, so I am good with this recommendation, but given the fact that this committee exists and we are looking at Professional Licensing Boards (PLBs) all the time to see how to make things run better.

Basically, we've got not great systems that aren't coordinated properly. Different sets of rules and ways that things are all done. If this board can take a holistic view, and perhaps legislation can be drafted to give us that ability, or we have the ability already, let's look at registration, leveraging technology more, trying to find better ways to do enforcement than just a guy, we have iPads now, but it's a guy with an iPad and a printer. I have a list here. We have 489,000 holders of licenses in this state. Some small as music therapy at 151, and the biggest one is nursing at 196,000. Having them in the same board structure doesn't necessarily make sense to us. We want to have a more holistic view of how we're looking at regulation and licensing in the state, and I know that we do this all the time in this legislature, but we always seem to fall back to what we know. We know it works, it's clunky. It probably gets in the way of new businesses sometimes and is a barrier to entry more than it is protecting people sometimes. I think we need to take full view on that. So, I am in favor of the report, and I'd like to make a motion that we could adopt the report and submit it.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Can I get a second to that?

Kelly Dudley, State Accounting Office

Second.

Anna Wrigley Miller, Chair, Office of Planning and Budget

And just for the audience, what we are voting on is what we talked about at the last meeting. It is that we recommend that recreational therapy be regulated as a sub-license, certification, or registration of the Georgia State Board of Occupational Therapy, and that a certified recreational therapist may be added to sit on the board. That is what we are voting on. Raise your hand for Aye.

[Eight (8) members voted in favor of the Final Report with the recommendation included, one (1) member, Senator Hufstetler, was absent]

And as a comment, this is a report put out by our council, this is not legislation. The legislature is going to pass as they want. Thank you to the recreational therapists. You're welcome to stay and listen to other exciting bills.

Doctor Brent D. Wolfe, PhD, CTRS, FDRT

Thank you.

Chairman Alan Powell, Georgia House of Representatives

For the benefit of commentary, I was elected 28 years ago on the old industry committee. My first chairmanship was a subcommittee on professional licensing, and in that time things haven't changed. You hit that on the head. Nobody thinks outside of the box. Legislatively, we put in bills all the time, members drop bills and do licensure and other things, but still we have an antiquated system. It's

not the fault of the secretary of state, it's not the fault of his office, but because of how things operate, four-hundred-and-something-thousand licenses, there is more money that comes in off of professional licenses that is dumped into the general fund. Quite frankly, there's never been enough money appropriated back, for whatever that reason, not enough political muscle from whoever the sitting secretary of state is, or whatever the reason. So, what you wind up with all of these business and occupational licenses is that there are never enough inspectors, never enough enforcement. The technology part would certainly be up to the secretary of state's office to do the organizational stuff.

I'd be remiss if I didn't add one other thought I wanted to add. We have all these licensing board, I've always said there's two reasons you have licensing in general: one is it gives credentials to that occupation or profession. It gives standing to it. The other is that it protects the consumers. Now that being said, we've got a situation in all of these licensing that started way before I was ever elected, or anybody else. That is the composition of these various boards are generally made up of the people that are in the business. You might see a consumer advocate on there, but they are always outvoted. Then you wind up with these effective boards with people that are third generation of the same family serving as the professionals. I know that one of my subcommittee chairmen, Rick Williams, is a funeral director, and he has been holding meetings about major problems. And I thought to myself when I looked out there, I said, wait a minute, this guy was on this board 30 years ago when I was elected. No, it's his son. And it keeps going. That's just a little food for thought.

Gabriel Sterling, Georgia Secretary of State's Office

We'll say amen to everything you just said.

Anna Wrigley Miller, Chair, Office of Planning and Budget

While I cannot change anything, it would be interesting to peruse what we can do with this council. So, I'd like to move forward with today. I am not going to rehash what GORRC does since everyone has heard it. We are going to start talking about House Bill 417. This is going to be an educational meeting about what the profession is. At the next meeting, we will talk about what the cost effects would be, and at the subsequent meeting we'll vote on a report.

I'd like to start with a quick summary overview of House Bill 417, so Cassie Scoggins from my office is going to run through that with everyone.

Cassie Scoggins, Office of Planning and Budget

Good morning. As Chairwoman Wrigley Miller said, we are looking at House Bill 417 today, sponsored by Chairman Alan Powell. The purpose of this bill is to provide for the comprehensive regulation of trauma scene cleanup services, requiring providers to register with the Georgia Bureau of Investigation (GBI). The bill defines trauma scene waste as potentially infectious material or regulated biomedical waste that has been removed, is to be removed, or is in the process of being removed. The

bill then defines trauma scene waste management practitioner as the owner of any interest in a commercial enterprise for the cleanup or removal of trauma scene waste, and who is registered with the GBI pursuant to this act. This bill requires that the practitioners be registered with the GBI, but it does not replace any registration or license required by any other state agency. However, no county or municipality shall be authorized to require any licenses, registrations, or permits for trauma scene waste management practitioners in the state. So, the registrations are gonna be valid for three years, and there is a \$100 initial registration fee, and then it is the same amount for each renewal. All requirements for registration can be found in the bill, and the bill summary is provided in your binders. After being registered, all practitioners will be listed on the GBI's website. Also, this act does not apply to medical practice, facilities, or subsidiaries of such that are subject to laws and regulation of the federal Occupational Safety and Health Administration (OSHA). This act also does not apply to the cleanup of property by the owner of such property, or to anyone else who engages in cleanup, as long as they are not doing it as a part of a commercial enterprise. I'll now turn it back over to the chairwoman.

Anna Wrigley Miller, Chair, Office of Planning and Budget

I'd like to bring up Les [Les Schneider] to give an overview of the profession. Also, members, I'd like to point out under the survey response tab, we have BioPTO's response to the survey, and then you will see an executive summary that goes through specific examples. If you see the binder Les has, it's that thick, so I will provide everyone with a scanned copy of the rest of that. I wanted to save paper.

Les Schneider

Thank you very much. Good morning, my name is Les Schneider. I'm an attorney with Wimberly and Lawson, and I represent the bio-professional organization that is concerned about the passage of this bill. I think the summary is a very good one. I really want to emphasize; this is really not about regulation as much as about registration and protecting the consumer. So, this is not what you would all consider, as the gentleman up here indicated, a lot of heavy regulation in various industries. This is basically a registration and minimal consumer protections. Let me give you three anecdotal stories of why this thing is important to me personally, as well as to people in the industry. I had a very dear friend who unfortunately took his life about 25 years ago. He died and killed himself, and obviously, when this happens in a home, somebody's got to come in and clean it up. What happened in his case is that they went and cleaned up, but they cleaned him out. They took a lot of personal affects, they took jewelry, they took keep sakes, they took money, etc. So, not only was my friend's family victimized by the suicide, they got victimized again by some very unscrupulous people. And that time in New York, there was no registration, no one knew what kind of companies do this job and how they do it.

Now we fast-forward and now I don't have brown hair anymore, I have grey hair. In my neighborhood, we had an unfortunate situation where one of our neighbors, he was a doctor, he realized he had cancer, and he took his life. He took it in his bedroom, and his wife was obviously affected by that, as you can well imagine. So, she went to the yellow pages and called someone, and she too was revictimized. Again, personal effects were taken, etc. But worse than that, they did not do a thorough job on the cleaning, so they had to come in and clean again. This caused a lot of health issues

in the house, as you can well imagine. So, just when I thought I had enough personal experiences, I was working on this bill. And during the time that representative Powell has had this bill in the legislature, which has passed a number of the various houses at various times, although not the full gauntlet, there was a gentleman who called on Mr. Powell, Gordy Powell, who is the gentleman who authored this questionnaire. He got a call, and this man was in tears, and he said, "I've got a big problem." And he [Gordy Powell] said, "what is it?" He said, well, my father lived alone and unfortunately, he passed away. It's been like two weeks, and we called somebody to clean up. And what did they do? They bagged up everything and then put my father by the curb. Then there were children, and dogs and other animals, who started to play around that area, went in, and you can understand the human health safety issue relating to this.

What this bill is really about is being able to give the consumer, people who have a traumatic incident in their life, that they have a place that they know they can go to look on a website, as indicated in the summary by the GBI. Companies that are insured, they have liability insurance, they are bonded, that have a criminal background check. Those basic protections that there has to be a fair estimate of what the cost of the services is going to be. There are families that have this happen, and they think it's going to be a few thousand dollars to clean up, and all of a sudden, it's a fifty-thousand-dollar (\$50,000) bill. And the materials that we have provided will show you some of the terrible scams that have been done to the public on this type of situation. I am not a great proponent of vast regulation, but we are talking about doing something very minimal here to register these companies so that a responsible party, like a police chief, like the coroners in the town, like people in the funeral business, where they can point people to. Here are people who are registered, who are bonded, who are insured, who can come to your house and be able to take care of this terrible, terrible situation that has befallen you.

That is really the guts of what this bill is. So, I don't want to confuse it with heavy, heavy regulation. It is a basic registration, and all we are saying to the companies is if you want to do this business, you need to do it responsibly. This is not a matter of going to a local sheriff or a local coroner and saying, "Here's my card and here's fifty dollars (\$50) and maybe you can refer me the business." But we don't know what these people's background is. These people would have the vetting and selecting laid out in the bill, which is very minimal, as you can see. It is not a great barrier to entry into the business as long as the minimal amount of things are being done. I think this is a tremendous first step, and I can tell you there are a number of states that look at this same type of problem, and unfortunately, the examples we put in the book aren't just limited to Georgia. Here, I have given you today two personal situations that happened in the state, and obviously one when I was working up north.

This happens, there's about twelve hundred (1200) of these types of cleanups minimal a year in people's homes and other places. All we are asking is let's do a little something for law enforcement to consumers, to help people when they're their most fragile, so they're not taken advantage of it. That's really what this bill is about. So, I've given you the bicentennial amendment. I will be happy to answer any questions. As you can see in the materials, there's a large number of groups, national and state, that have a real concern about let's be a little further ahead here, so people don't get just victimized, but revictimized. And that really is the essence of the bill, and we would certainly ask your favorable

consideration. I'm happy to answer any particular questions. The draft of the bill, of course, is in your materials. I have done a section-by-section analysis. There's no great barrier to entry as long as you want to do right. Unfortunately, there's a lot of bad actors here, and as you often see in life, when people are having the most difficulty, sometimes it invites people to take advantage, and there's court cases and newspaper articles sitting there. I just wanted to share just the two or three instances that occurred in my life that would tell you this is something, this is a gap we need to fill. Please don't confuse this with harsh or overburdensome regulation because that's not what this is about. I don't want to be too brief, but I'm happy to go to the issues of any particular questions that you have.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Anyone have any questions?

Kelly Dudley, State Accounting Office

Just curious, do we know how many businesses in Georgia are currently doing this? Good, bad, and ugly.

Les Schneider

Our best guess at this point is that if you had this register, and people had to apply, we would be talking about 30-35 companies that would really be serious about doing this work properly. That probably doesn't count the people who are the ne'er-do-well that don't want to do it properly and want to be in the dark of the night. Frankly, the only negative we ever received on this bill was for somebody who took the position "no government involvement in any business, whatsoever." I understand that libertarian mentality, but I think we get to a point where there are some basic protections that all of us would like to have. But I would imagine, the register, we're not talking about thousands of companies signing on this. We are not talking about how many nurses. It's not gonna match it. Our best guess at this point is thirty, thirty-five companies. And what also happens, and its important, I'm glad you asked the question. There may be a company that has an eight hundred (800) number in Minnesota, right? And they get a call to do a cleanup in Georgia. They would like to know that there is somebody in Georgia who has been on a list that has been vetted for insurance and, you know, background checks, etc. that they can hook up with in Georgia for that work to be done properly as opposed to them going to the yellow pages seeing what a cleaning service might be able do this.

Kelly Dudley, State Accounting Office

And I would assume that, since there are only 1200 per year, that they're doing other types of cleanings?

Les Schneider

No question. Yeah, people do other business, and we're not looking to interfere with that general type of cleanup, or whatever, that they would do. This is just for this removal of human blood

and waste, etc. which is largely very gruesome and sad, but that's what we are talking about to make sure that it's thoroughly done too

Anna Wrigley Miller, Chair, Office of Planning and Budget

Any other questions or comments?

Gabriel Sterling, Georgia Secretary of State's Office

As defined under the bill, is a practitioner the owner, or partners in ownership, or is it down to the employees? Who do we define as a practitioner in the bill?

Les Schneider

I believe it would be the person who owns the business, and he would be responsible for his employees and his independent contractors. Again, we're not saying these people have to be employees or they have to be contractors. Either way, you're responsible for your folks.

Gabriel Sterling, Georgia Secretary of State's Office

So, it's the company? The practitioner is really just the corporate shell?

Les Schneider

The entity, yes. The entity.

Gabriel Sterling, Georgia Secretary of State's Office

Alright, thanks.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Anyone else?

Christina Ferguson, Department of Public Health

From a public health perspective, will these practitioners be required to get any types of vaccinations, anything with Hep B, OSHA training?

Les Schneider

They have to file...They have to meet... we're not pulling any of that away. Any kind of federal or state requirements for either removal of the waste, the disposal of the waste, any OSHA training that is required will still have to be done. The real issue here is letting the public know who does this type of work, and who is gonna get... a number of people may very well be covered under their homeowner's

policy if a tragedy like this occurs. The problem that occurs often is, a job that should be a six- or seven-thousand-dollar (\$6,000 or \$7,000) job, all of a sudden people get done with a seventy-five thousand (\$75,000) dollar bill. Then there's fights between the insurance company and the policy holder, and the person who did the work, and that's where all the friction often occurs. I'm sure Gordy Powell will be here at the next meeting, but he will tell you stories about insurance adjusters who send him bills and say, "Does this make any sense for this scope of work, for this type of money?" And you know, he'll look at it and say, "Well, somebody may be trying to rip somebody off and take advantage." They know what the deductible is, they want to get over that. So, there's a whole other type of thing.

Any federal or state, present requirements, whether it's under the EPD or EPA, or whatever in terms of disposal or measures and weights or required training, would stay in place. The bill doesn't erode that in any way.

Christina Ferguson, Department of Public Health

Okay, thank you.

Chairman Alan Powell, Georgia House of Representatives

Thank you. I'm sort of in an awkward position. I'm not used to having lobbyist present bills that I've already passed the legislature, but that being said, and I'll go ahead and apologize in advanced that I may be a little bit more graphic and not near as polished as Mr. Schneider is. This bill has passed several of the committees of the house and the senate at one time or another. If you'll look on the bill, its date goes into effect January 1st, of 2020. That would obviously have to be changed because the bill was vetoed this year under the GORRC idea. I naturally disagreed with that concept because this isn't a licensure act, it's a regulatory act. It's basically a registration act.

To give you a little bit of the history on this, at that time I was chairing, for a number of years I chaired the House Committee on Public Safety and Homeland Security, and shockingly as y'all may find it, I hear all kinds of odd ball stuff that comes up, and you know this is one of those issues. We knew that for several years we had situations where people would pass away at home. We've had several prosecutions of coroners, elected coroners being prosecuted and loosing their elected position because of something as simple as going into the deceased's home and helping themselves to a piece of jewelry. This happened in a couple of cases in the state of Georgia. The other testimony we heard was, quite frankly... when there is an event, a trauma scene event that happens in the home, family members aren't going to stay around the house while their cleaning up somebody's brains or blood. If an elderly person dies unattended, we do have that more than people realize, and all of a sudden, their bodies are found after a period of time basically melted away. They come in then to do the cleanup, and what we found through testimony is that we had a lot of people offering this service, but most people weren't specialized in it or trained in biohazardous cleanup. That's exactly what this is. When you have someone that takes their life, and there is a blood splatter across the wall, to be sure that that is cleaned up properly and disinfected, we saw that there was a need for this.

A lot of these companies, Mr. Schneider gave an example about somebody sitting out by the curb, it wasn't the only example. In testimony we had had, there were a lot of cases where certain cleanup situations had remains and remnant parts of the body thrown in dumpsters. Folks, this isn't the way we should do business in this. Through the efforts of the House committee and the Senate committee on different sessions, we passed the bill forward with a lot of scrutiny into it as passed. We took into account all the medical practitioners, making sure it didn't trap some of these groups. Any and all folks were scrutinized, leeway was made for some. These are fairly expensive things to cleanup, but we made allowances for family members who wanted recruit people to help when it becomes unaffordable for them. What we are saying in this bill is if you are advertising and billing yourself out as a trauma scene cleanup specialist, then you'll take the biohazardous cleanup courses, you'll have a bond, you'll have liability, you'll have all of these things. Then the GBI, at that time Director Vernon Keenan, we worked out a formulary so that the only thing we do is park this registration, so that if they advertise and meet the criteria, their name goes on the GBI website. So, the only cost to the state was whatever it takes to redesign, or to put that up, and forgive me as I do not know what it costs to do that. But to add that drop-down bar on the GBI website, and they would not have to enforce it. The company that calls themselves a certified trauma scene cleanup company will do these things. Enforcement would be with law enforcement. If somebody's out there not doing it right, somebody files a complaint, then the D.A. goes after them. Basically, to put some teeth into this business, ladies and gentlemen.

Les Schneider

To keep in mind, what we are trying to do is discourage the ne'er-do-well from being in this business. Obviously, if they are not registered on the website, they cannot take money from somebody for this work. There is a fine if you do things improperly. We are just talking about basic safeguards. The martial arts show, it doesn't just occur out in Oregon and California. This situation is in Forsyth county and other places, where representative Powell indicated people stole personal keepsakes and jewelry. What we're trying to do is stamp that misconduct out. I do want to thank the GBI, they've been very cooperative working on this. And the hope is that once that website goes up, it'll be a beneficial resource to not only just to the public, but law enforcement officials who will now know who to refer people to and feel comfortable making a referral without a finder's fee.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Thank you, Les. Anybody have final questions for him? Okay, because everybody always likes the state-by-state comparison, what is the rest of the country doing, The Office of Planning and Budget (OPB) has put together the last tab, and Cody, from OPB, will talk about what other states are doing or have done in relation to this.

Cody James Pyle, Office of Planning and Budget

An issue I'll start out sharing is that trauma scene cleanup is a very specialized part of this bigger industry of cleaning and remediation of areas, so I did my best to try to find things on trauma scene cleanup, crime scene cleanup, remediation of waste, waste management, things like that in human and biomedical waste management. In doing so, I did not find any states that full on license, and I did not find any that truly certify. I know that there are trade organizations that offer courses and training certifications, but they are not state or governmental organizations.

Within the registrations, we found that the department of Public Health within the state of California registers trauma scene waste management practitioners and shares the same definition from our bill. In doing so, they have a contract they have to share on waste generators and facility management. In sharing that contract, it allows them to know who a waste generator is and who is a transporter to keep up with the waste. They also have to share their EPA registration and pay a fee.

The next would be in the state of Florida. The department of Public Health also keeps up with trauma scene cleanup providers. Theirs is also a listed format, and they do regulate based on weight. Massachusetts regulates hazardous waste cleanup professions through the Board of Registration of Hazardous Waste Site Cleanup Professionals. According to the board's website, the license is just to cleanup waste at waste sites. Then there were various other states where things were not on-the-books, or codified, things that were listed from past years that I could not find current standards on.

Other forms of regulation include EPA, federal standards that call for a manifest, biannual report on the generation and movement of waste from the facilities.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Any questions on that?

Les Schneider

I would just add to that Texas, Tennessee, Florida, Iowa, Indiana, New Jersey, and Ohio are all considering similar types of legislation. Frankly, a number of states are looking to Georgia because they saw this moving through. Obviously, they are a step behind where we are, and I thought they'd be two steps behind, but as Representative Powell indicated, it unfortunately put us behind a little bit. Again, it is very, very helpful to build on what we have across the country and add this to it. Again, it is just giving people fair notice.

Gabriel Sterling, Georgia Secretary of State's Office

Currently, for biomedical waste, that is the thing that is very specific you can't just throw into a landfill, I'm assuming there's EPD regulations, we heard about the EPA, but they're the enforcement agency right now. So, wouldn't anybody who does this have to have some kind of biohazardous waste license or registration already through the EPD, again, if they're doing it properly?

Les Schneider

Yeah, if you're assuming they're doing it properly. Then you're going to the issue of disposing of it, not the cleaning of it inside the house and not the protection for the consumer in the house. But yes, if they are supposed to take it away, they're supposed to take it away to a specific place. Again, I think we're trying to deal with this through the legislature, and it's an incremental business, things are done a step at a time. To your point earlier on overregulating the situation, we are trying to set the base minimum requirements. You're correct, if they are doing the waste properly, and disposing of it properly. And there are instances where the people who cleanup are different than the people who take it away and haul it. We are not going to register those people; we are talking about the people who are doing the cleaning

Gabriel Sterling, Georgia Secretary of State's Office

Thank you.

Anna Wrigley Miller, Chair, Office of Planning and Budget

We are going to move along to public comment. I believe we only have the GBI planning to talk, so Dan Kirk, would you please come up.

Dan Kirk, Assistant Director of the Georgia Bureau of Investigation

Thank y'all for giving me the opportunity to speak to this bill. I want to make something clear right off the bat, in terms of regulation or registration or whether that is done, I don't have an issue with that. What I want to address is the fact that we are in the bill, and what that could do for us.

First, let me remind everybody what our core missions are. As you've mentioned, due to budget cuts, core missions are something every state agency is focused on. Our core missions are basically three: we are an investigative agency, an assistive investigative agency, we provide crime lab services, and we provide information services through our Criminal Justice Information System (CJIS) network. So, three main core missions that we have. Certainly, we want to always be focused on those, and when things like this come up, we feel good about the fact that folks think this would be a good place to put this because we quite frankly believe we do a good job.

However, as far as our core missions, this does not fit into those areas. I did a little research as well, as I was looking into this and trying to determine what's going on in other places. I am essentially going to repeat what was said, this is an unregulated industry. It's not one where you can find a lot of information on regulation in the industry. I found the same ones, California and Florida. Both do not really regulate. They essentially are more concerned with the transportation and generation of biohazardous waste. Which they should be. Certainly, there are federal guidelines that govern how that should be transported and destroyed and so forth. New York has some guidelines, I could not find where

they actually register folks, but they do have guidelines about how trauma scene cleanup should take place and rules and things that people should follow. Both California and Florida, as previously stated, those processes occur within the department of Public Health.

As far as our concerns, obviously, there will be some minimal requirement for us to get somebody to monitor, receive, and post. There will be some cost for that, some website charges, and so forth. That is rather insignificant. The question is: should we be doing it, and where is it going to go? I think Les had talked about the fact that this would be an incremental process. So, with that in mind, my question is what is the next increment, and how is that going to affect the GBI? First off, there are only three things in here that I understand that we would be responsible for. One would be a criminal history check. I think y'all have a copy of the bill, and I assume mine is a recent copy, but a requirement is that a person not be in jail currently and not be on felony probation. That is the requirement, and that's the owner of the company. I have a little bit of concern about, quote-unquote, putting on the GBI website, us saying these are good companies when, in fact, the only thing we've done is three things: we've done a criminal history check, which doesn't mean they've been convicted of a felony that they couldn't be a business owner of one of these things. We have no checks on the people. We can't vouch for the people that are actually coming in the home and doing the work. The things we do have are criminal history check for the owner, the fact that they commute a surety bond. I am sure there is a process for that, and the bonds are not just passed out, so I know there are requirements for that. And they also have to have liability insurance. There is nothing that we do that relates to the work being done in the field. My fear would be that people would see GBI's stamp of approval on it expecting the company to go in to clean it properly, they're going to follow all of the rules and regulations according to OSHA and federal guidelines, that they're going to do a good job, and they got this good rating. That's not what we'd be doing.

My question is, if that's the case, what would the next step? We'd have to promulgate rules on how people are supposed to clean and do things. Now you're getting into more and more regulation that is more and more out of our core mission. I appreciate the fact that the Chairman thinks we'd be a great place and do a good job, which we would and if that's the will of the people that's what we'll do, but at the end of the day, it's not a part of our core mission. I would respectfully submit that there are other entities out there that license and provide registration that already have processes in place. You talked about the antiquity of the situation, well ours would be an excel spread sheet and a paper. I would submit there might be a better place for this to be besides the GBI.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Comments?

Chairman Alan Powell, Georgia House of Representatives

I'd be glad to comment, and I appreciate the cooperation and working relationship with the GBI over the last several years. Quite frankly, where would you put it? Where would you mark this for registration purposes only. I understand my affiliation to the GBI, when I chaired that committee, I

understand Chairman Hitchens' support of this, but that was where we were. Since this basically deals with events under the investigative services, we couldn't figure out another place to put it. We didn't want to do it free standing. We didn't want to do it as a licensing act for the Secretary of State. Quite frankly, I hope I never put a bill back over there until the rest of the mess is cleaned up over there. But we looked at every possibility about how this could be. We even looked at Public Health. What we decided, if I remember what we decided at that point, that that was a dark hole. If you put it over there, it would go there, but who would enforce it there? This way, what we decided was the best possible place was to treat it as a registration act and put it on the GBI's website so that people could see it. Those people are going to be a little more particular about adhering to what's expected of them if they are on the website. Nothing in there says the GBI is offering credentials to these folks, or that they're supporting, or anything else. It's just a straight up and down website. If you want to look to see who is registered and supposedly doing it right, we have to take a leap of faith in this.

I remember all the testimony over the last several years. We got good, quality companies that do cleanup. They cleanup flood damage, they cleanup up fire damage, but when you're speaking of human remains, we're speaking of a whole different subject matter that needs to be handled differently. I don't know of any other place we'd put it other than the GBI. That's what our thought was when we legislatively passed the bill the first year, got it out of the house, then had to come back and do it again. We talked to the GBI at that time, and the hundred dollars (\$100) initiation fee, application fee, and license fee, they felt at that time that that'd cover the cost so there'd be no cost to the tax payer of the state, but the benefit would be the citizen can find these things without going to someone who specializes in something else. Worst possible to keep going back, and it's not a polite thing for folks to talk about, disposal of human remains, even if its skull, blood, or hair, that's still human remains needing to be dealt with a different way. Folks can take a pressure washer and clean out a muddy basement, but if they haven't had biohazard training or courses, it's nothing more than common respect for those folks. That was how we ended up on the GBI.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Any more comments? Okay, thank you. We are running up against the time. We have one more person who wants to speak on GORRC in general. I wanted to restate, a fiscal note was conducted on this, and we will have it at the next meeting to talk about since we had the cost brought up a couple of times. As a quick reminder to everybody, our next two meetings will be back upstairs in room 450, and they are October first (1st) and October seventh (7th). The schedule is in the back of your binder. I would like to call Scott Hilton up to comment.

Scott Hilton, Executive Director of the Georgians First Commission

Thank you, madam chair, thank you members of the committee. I am not here today to speak against or for any bill in particular that you have under consideration, really just to offer myself as a resource to the committee. As you know, I am the executive director of the Georgians First Commission. We are a commission established by the governor on January fourteenth (14th) of this year for the explicit purpose of three goals. Number one to cut burdensome red tape, streamline government, and

promote small business. That's what we've been up to for the last nine months or so, and have spent a lot of our time out on the road listening to small business owners to hear what's on their minds, what are the concerns, and we've heard a great deal of feedback. Either through focus groups, town halls, traveling every corner of the state, and conducting an online survey that reached one-hundred-and-fifty-five (155) of our one-hundred-and-fifty-nine (159) counties. We've distilled that feedback into a series of task force committees we've created, and you can see those on our website, georgiansfirst.georgia.gov. They touch everything from tax reform to access to capital to occupational licensing. So, I share with you that there's a lot that we found, especially in the arena of occupational licensing, if you were to create from scratch today, you would not create the model that we currently have, you'd create something that's vastly different. Those are some of the issues that we're trying to tackle now. I tell you, the number one thing we hear from the small business owners, "Scott, there's no one regulation that I can pinpoint, it is literally the mountain of regulation, local, state, and federal, that accumulates over time and essentially serves as a wet blanket to small business and entrepreneurship in our state." I encourage this group on legislation that sounds simple. Simple registration, simple licensing. Nothing that adds to the cumulative effect of hampering small business in our state.

With that, we are here as a resource to you. We conducted a good bit of work with Gabe and his team over in Secretary of State's office. We'll be, I'm sure, participating in these dialogues in the future. GORRC, I know, has a new importance and responsibility given the governor's background and his comments on this committee and the importance of it. Happy to serve as a resource. One of the things that we're looking at, kind of the data points that I'll share with you, we have our regulatory code and then our statutory code. On the regulatory side, here in Georgia we have a little over six million (6,000,000) words comprising one-hundred-and-nine thousand (109,000) restrictions. If you were to print it off, it'd be about five boxes of paper high. The governor's tasked us with evaluating that, and seeing what needs to be taken away, what's getting in the way, and we are actively in that process right now. Again, thank you for that time. I offer myself as a resource for you and encourage you to really study and look hard at the issues presented to you. What may be simple on the front end adds a great deal of work on the back end to some of our small business owners. Folks who are operating four or five employees type businesses, who often time have to wear a government hat, a banking hat, an entrepreneur hat, and it's a lot at the end of the day when they're trying to hire, grow, and expand their business in the state. I appreciate the work you guys are doing. It means a lot. Again, I am sure we will be chatting gin the future.

IV. Closing

Anna Wrigley Miller, Chair, Office of Planning and Budget

As final remarks to everybody, I am going to be sending out the meeting minutes to everybody. For everyone, on the OPB Website, there is a Georgia Occupational Regulation Review Council page. We post all of the minutes, we'll post the report we just passed, and meeting notices are on that site, so everything is accessible to everybody. I will be sharing the scanned copy of the evidence to everybody. Our next meeting is not until October first (1st) and the third meeting will be October seventh (7th) to

give everybody plenty of time to digest this information and get through this first month of budget season.

Gabriel Sterling, Georgia Secretary of State's Office

Move to Adjourn.

Anna Wrigley Miller, Chair, Office of Planning and Budget

Second?

multiple seconds offered

Meeting adjourned. Thank you. Have a good day.