

Senate Bill 360

By: Senators Thomas of the 10th, Jackson of the 50th, Blich of the 7th, Butler of the 55th, Cable of the 27th, Thomas of the 2nd, Smith of the 25th, Tate of the 38th, Stokes of the 43rd and James of the 35th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to insurance, so as to provide for the direct access of
3 patients to mammograms; to provide for definitions; to prohibit certain requirements of
4 referral from a primary care physician as a condition of coverage; to provide for notice; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to insurance, is amended by inserting at the end thereof a new
10 Code Section 33-24-59.11 to read as follows:

11 "33-24-59.11.

12 (a) As used in this Code section, the term:

13 (1) 'Health benefit policy' means any individual or group plan, policy, or contract for
14 health care services issued, delivered, issued for delivery, or renewed in this state by a
15 health care corporation, health maintenance organization, accident and sickness insurer,
16 fraternal benefit society, nonprofit hospital service corporation, nonprofit medical service
17 corporation, or similar entity.

18 (2) 'Mammogram' means any low-dose radiologic screening procedure for the early
19 detection of breast cancer provided to a woman and which utilizes equipment approved
20 by the Department of Human Resources dedicated specifically for mammography and
21 includes a physician's interpretation of the results of the procedure or interpretation by
22 a radiologist experienced in mammograms in accordance with guidelines established by
23 the American College of Radiology.

24 (b) No health benefit policy which is issued, delivered, issued for delivery, or renewed in
25 this state on or after July 1, 2002, shall require as a condition to the coverage of a
26 mammogram that an enrollee, subscriber, or insured first obtain a referral from a primary

1 care physician, as such term is defined by the group plan, policy, or contract for health care
2 services.
3 (c) Each health benefit policy which is issued, delivered, issued for delivery, or renewed
4 in state on or after July 1, 2002, shall disclose to enrollees, subscribers, or insureds in clear,
5 accurate language, such person's right to direct access to mammograms as provided in this
6 Code section. Such information shall be disclosed to each such person at the time of
7 enrollment or otherwise first becoming an enrollee, subscriber, or insured, and at least
8 annually thereafter."

9 **SECTION 2.**

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