

Senate Bill 98

By: Senators Thompson of the 33rd, Tate of the 38th and Thomas of the 2nd

AS PASSED

AN ACT

To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance generally, so as to require health benefit policy coverage for surveillance tests for women at risk for ovarian cancer; to require certain physicians to provide information regarding surveillance tests to certain patients; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance generally, is amended by adding after Code Section 33-24-56.1 a new Code section to read as follows:

"33-24-56.2

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

(1) 'At risk for ovarian cancer' means :

(A) Having a family history:

- (i) With one or more first or second-degree relatives with ovarian cancer;
- (ii) Of clusters of women relatives with breast cancer;
- (iii) Of nonpolyposis colorectal cancer;or

(B) Testing positive for BRCA1 or BRCA2 mutations.

(2) 'Health benefit policy' means any individual or group plan, policy, or contract for health care services issued, delivered, issued for delivery, executed, or renewed in this state, including but not limited to those contracts executed by the State of Georgia on behalf of state employees under Article 1 of Chapter 18 of Title 45, by an insurer.

(3) 'Insurer' means an accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance organization, preferred provider organization, provider sponsored health care corporation, managed care entity, or any similar entity authorized to issue contracts under this title or to provide health benefit policies.

(4) 'Surveillance tests' means annual screening using :

- (A) CA-125 serum tumor marker testing;
 - (B) Transvaginal ultrasound; and
 - (C) Pelvic examination.
- (b) Every health benefit policy that is delivered, issued, issued for delivery, executed, or renewed in this state or approved for issuance or renewal in this state by the Commissioner on or after July 1, 2001, shall provide coverage for surveillance tests for women age 35 and over at risk for ovarian cancer.
- (c) The benefits provided in this Code section shall be subject to the same annual deductibles or coinsurance established for all other covered benefits within a given health benefit policy.
- (d) A physician who assesses a patient for ovarian cancer and such patient is at risk for ovarian cancer is encouraged to advise such patient of the availability of surveillance tests in accordance with the practices of the profession generally under similar conditions and like surrounding circumstances."

SECTION 2.

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