

House Bill 434

By: Representatives Harbin of the 113th, Lord of the 121st, Shaw of the 176th and Smith of the 91st

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to
2 enact the "Georgia Consumer Choice Negotiated Health Insurance Plan Act"; to provide that
3 Georgia Consumer Choice Negotiated Health Insurance Plan policies or contracts may
4 contain such benefits, coverages, and reimbursements as may be agreed upon between the
5 group or individual policyholder and an insurer; to provide a short title; to provide for
6 legislative intent; to define certain terms; to provide exceptions; to repeal conflicting laws;
7 and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
11 adding at the end of said title a new chapter, to be designated Chapter 59, to read as follows:

12 **"CHAPTER 59**

13 33-59-1.

14 This chapter shall be known and may be cited as the 'Georgia Consumer Choice Negotiated
15 Health Insurance Plan Act.'

16 33-59-2.

17 The General Assembly recognizes the need for employers and individuals in this state to
18 have the opportunity and choice to negotiate with insurers for more affordable and flexible
19 health insurance plans other than the standard market policies of accident and sickness
20 insurance and the need to increase the availability of health insurance coverage by
21 authorizing the transaction of this type of plan or policy by accident and sickness insurers
22 licensed to transact business in this state.

1 33-59-3.

2 As used in this chapter, the term:

3 (1) 'Insurer' means any insurer or nonprofit organization authorized to sell accident and
4 sickness insurance policies, subscriber contracts, certificates, or agreements of any form
5 under Chapters 15, 18, 19, 20, 21, 29, and 30 of this title.

6 (2) 'Policy' means the Georgia Consumer Choice Negotiated Health Insurance Plan
7 policy.

8 33-59-4.

9 (a) Notwithstanding any other provision of this title and except as provided in
10 subsection (b) of this Code section, from and after July 1, 2001, any insurer authorized to
11 transact business in this state shall be authorized to enter into policies or contracts of group,
12 blanket, or individual accident and sickness insurance with any person to provide only such
13 benefits, coverages, and reimbursements for services as may be mutually agreed upon
14 between the group or individual policyholder and such insurer.

15 (b) The provisions of subsection (a) of this Code section shall not be applicable to the
16 insurance coverages provided in Code Section 33-24-21, relating to the termination of
17 group coverage of a surviving spouse as a result of break in marital relationship; Code
18 Section 33-24-21.1, relating to group accident and sickness contracts and conversion
19 privileges and continuation right provisions; Code Section 33-24-22, relating to coverage
20 for newly born or adopted children; Code Section 33-24-24, relating to coverage for
21 complications of pregnancy; Code Section 33-24-28, relating to the termination of
22 coverage of dependent children upon attainment of specified age; paragraph (4) of Code
23 Section 33-30-4, relating to the continuation of coverage of dependent children; and
24 paragraph (8) of subsection (b) of Code Section 33-30-6, relating to the continuation of
25 coverage of dependent children."

26

SECTION 2.

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