

Senate Bill 148

By: Senators Price of the 56th, Thomas of the 10th and Scott of the 36th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to
2 contracts contravening public policy generally, so as to declare as contrary to public policy
3 certain contracts between a hospital which is a provider of obstetric services and certain
4 insurers; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to contracts
8 contravening public policy generally, is amended by adding a new subsection (c) to read as
9 follows:

10 "(c)(1) As used in the subsection, the term 'insurer' means an insurer as defined in Code
11 Section 33-24-57.1 or a managed care entity as defined in Code Section 33-20A-3.

12 (2) Any contract for health care services executed on or after July 1, 2001, including any
13 contract for health care services renewed or amended on or after that date, entered into
14 between an insurer and any hospital which is a provider of obstetric services located in
15 a county in which more than five acute care hospitals are located and with the distance
16 between the contracting hospital and any other hospital in the county being more than:

17 (A) Ten miles; and

18 (B) Thirty minutes driving time at any time of the day

19 is against public policy and is void and unenforceable when said contract, renewal, or
20 amendment has the effect of interfering with a patient's ability to receive or obtain health
21 care services from another hospital also located within said county that is agreeable to
22 accept such patient under the same terms and conditions as the contracting hospital
23 agreed with the insurer to provide such services."

24 style="text-align:center">**SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.