

The House Committee on Insurance offers the following substitute to HB 434:

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:**

SECTION 1.

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

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. This chapter shall in no way prevent insurers
23 from offering any coverages which are offered or mandated under this title; provided,

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1 however, that, on and after July 1, 2001, it is explicitly intended that employers or
2 individuals may negotiate new contracts or policies with insurers to provide benefits or
3 coverages which are mutually agreed upon pursuant to this chapter.

4 33-59-3.

5 As used in this chapter, the term:

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

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

11 (3) 'Group' means a small group as defined in subsection (a) of Code Section 33-30-12.

12 33-59-4.

13 (a) Notwithstanding any other provision of this title and except as provided in subsection
14 (b) of this Code section, from and after July 1, 2001, any insurer authorized to transact
15 business in this state shall be authorized to enter through a licensed agent or agency into
16 policies or contracts of group, blanket, or individual accident and sickness insurance with
17 any person to provide only such benefits, coverages, and reimbursements for services as
18 may be mutually agreed upon between the group or individual policyholder and such
19 insurer. Any individual policy holder or certificate holder covered within a group plan
20 shall be allowed to purchase, at his or her own expense, any additional coverage or
21 coverages authorized under this title even though such coverage or coverages are not
22 selected by the employer for the group as a whole.

23 (b) The provisions of subsection (a) of this Code section shall not be applicable to the
24 insurance coverages provided in Code Section 33-24-21, relating to the termination of
25 group coverage of a surviving spouse as a result of break in marital relationship; Code
26 Section 33-24-21.1, relating to group accident and sickness contracts and conversion
27 privileges and continuation right provisions; Code Section 33-24-21.2, relating to
28 continuation of coverage under group accident and sickness plans for persons 60 years of
29 age or older; Code Section 33-24-22, relating to coverage for newly born or adopted
30 children; Code Section 33-24-24, relating to coverage for complications of pregnancy;
31 Code Section 33-24-28, relating to the termination of coverage of dependent children upon
32 attainment of specified age; paragraph (4) of Code Section 33-30-4, relating to the
33 continuation of coverage of dependent children; and paragraph (8) of subsection (b) of
34 Code Section 33-30-6, relating to the continuation of coverage of dependent children."

SECTION 2.

1
2 All laws and parts of laws in conflict with this Act are repealed.