

House Bill 901

By: Representatives Bridges of the 9th and Everett of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to provide for nonbinding arbitration when certain insurance
3 companies deny coverage or refuse or fail to pay claims promptly; to provide for procedures;
4 to authorize the Commissioner of Insurance to promulgate rules and regulations concerning
5 such arbitration; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
10 generally, is amended by adding a new Article 4 to read as follows:

11 "ARTICLE 4

12 33-24-90.

13 As used in this article, the term:

14 (1) 'Insured' shall mean any individual who is a named insured under a policy issued by
15 an insurer.

16 (2) 'Insurer' shall mean an insurance company, health care organization, health
17 maintenance organization, preferred provider organization, accident and sickness insurer,
18 fraternal benefit society, hospital service corporation, medical service corporation,
19 provider sponsored health care corporation, health maintenance corporation, or similar
20 entity and any self-insured health care plan not subject to the exclusive jurisdiction of the
21 Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1001, et seq.

22 (3) 'Policy' shall mean any individual, group, or blanket accident and sickness policy or
23 certificate and any property insurance policy or certificate.

1 33-24-91.

2 Any insured who is denied coverage by an insurer on a claim under a policy and any
3 insured whose insurer fails or refuses to pay a claim under a policy within 60 days after the
4 submission of the claim to the insurer shall have the right to request that the matter be
5 submitted to nonbinding arbitration through the department. The Commissioner is
6 authorized to promulgate rules and regulations to provide procedures for such nonbinding
7 arbitration. The Commissioner shall provide neutral arbitrators to hear such matters and
8 to render decisions in such cases."

9 **SECTION 2.**

10 All laws and parts of laws in conflict with this Act are repealed.