

The Senate Insurance and Labor Committee offered the following substitute to HB 638:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to  
2 employees' insurance and benefits plans, so as to include employees of federally qualified  
3 health centers in the state health insurance plan; to include public employees of critical  
4 access hospital authorities and of federally qualified health centers in certain state benefits  
5 plans; to provide for related matters; to provide for an effective date; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to employees'  
9 insurance and benefits plans, is amended by striking Code Section 45-18-7.7, relating to  
10 employees and dependents of critical access hospitals in health plans, and inserting in its  
11 place the following:  
12

13 "45-18-7.7.

14 The board is authorized to contract with any public or nonprofit critical access hospital or  
15 federally qualified health center that meets such requirements as the department may  
16 establish for the inclusion of the employees and dependents of such critical access hospitals  
17 or federally qualified health centers in any health plan established under this article. It shall  
18 be the duty of such critical access hospital or federally qualified health center to deduct  
19 from the salary or other remuneration or otherwise collect such payment from its qualified  
20 employees as may be required under the board's regulations. In addition, it shall be the  
21 duty of such critical access hospital or federally qualified health center to make the  
22 employer contributions required for the operation of such plan."



1 Point Inspection Service; the Georgia Firefighters' Pension Fund; any person who works  
 2 full time for any critical access hospital authority or federally qualified health center; a  
 3 member of any local board of education; and public ~~schoolteachers~~ school teachers and  
 4 public school employees as defined in Code Sections 20-2-880 and 20-2-910, exclusive  
 5 of the members, employees, and officials of the Board of Regents of the University  
 6 System of Georgia."

#### 7 SECTION 4.

8 Said chapter is further amended by striking subsection (a) of Code Section 45-18-52, relating  
 9 to establishment of flexible employee benefit plans, and inserting in its place the following:

10 "(a) The council is authorized to establish a flexible employee benefit plan for employees  
 11 of the state, ~~and public schoolteachers~~ school teachers, ~~and public school employees,~~ and  
 12 public employees of any critical access hospital authority or federally qualified health  
 13 center and to promulgate rules and regulations for its administration, subject to the  
 14 limitations contained in this article and in Articles 1 and 2 of this chapter. The flexible  
 15 employee benefit plan may provide for deductions or salary reductions for group life  
 16 insurance, group property and casualty insurance, disability insurance, supplemental health  
 17 and accident insurance, health care or dependent care spending accounts as authorized  
 18 under Section 125 of the United States Internal Revenue Code of 1986, other types of  
 19 employee welfare benefits, or for salary reductions for health premiums under Article 1 of  
 20 this chapter and Code Sections 20-2-880 and 20-2-910. The council may establish rating  
 21 categories for disability insurance based on eligibility for coverage by the disability  
 22 program of the Social Security Administration. At the council's discretion, any of the  
 23 insurance or other type of employee welfare benefits authorized by this Code section may  
 24 be operated as a self-insured plan in whole or in part or by contract with any company  
 25 authorized to transact such business in this state. Except as provided in Code Section  
 26 45-18-30, Code Sections 20-2-880 and 20-2-910, and as implemented prior to January 1,  
 27 1986, the council is authorized to establish the plan or plans in connection with plans  
 28 authorized by the United States Internal Revenue Code for the purpose of income tax  
 29 advantage."

#### 30 SECTION 5.

31 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 32 without such approval.

#### 33 SECTION 6.

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