

House Bill 1330

By: Representatives Harbin of the 80th, Boggs of the 145th, Golick of the 34th, Post 3, Dodson of the 84th, Post 1, and Keen of the 146th

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 definitions; to provide for the establishment of a task
3 force to study the impact of health insurance mandates; to provide for the membership and
4 appointment of members of such task force; to provide for reports and recommendations
5 from such task force; to provide for the dissolution of the task force; to require that any new
6 mandated health care benefits be studied by the task force prior to being acted upon by the
7 General Assembly; to provide for applicability; to provide for related matters; to provide an
8 effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
12 generally, is amended by adding a new Article 5 to read as follows:

13 style="text-align:center">"ARTICLE 5

14 33-24-110.

15 (a) As used in this Code section, the term:

16 (1) 'Health insurance issuer' means any entity that provides health insurance coverage in
17 this state.

18 (2) 'Mandated health benefit' means a benefit or coverage that is required by law to be
19 offered or provided by a health insurance issuer and includes coverage for specific health
20 care services, treatments, or practices; the offering of specific health care services,
21 treatments, or practices; or the process by which a benefit for coverage must be offered
22 or provided.

23 (b) There is established the Task Force to Review State and Federal Health Insurance
24 Mandates in Georgia. The task force shall consist of 13 members as follows:

- 1 (1) The Commissioner of Insurance or his or her designee, who shall act as the
2 chairperson of the task force;
- 3 (2) The chairperson of the Senate Insurance and Labor Committee or his or her designee;
- 4 (3) The chairperson of the House Committee on Insurance or his or her designee;
- 5 (4) The commissioner of community health or his or her designee;
- 6 (5) Two members to be appointed by the Governor, one of whom must be a
7 representative of a company that employs ten or fewer employees and one of whom must
8 be a member of the general public who is not associated with health care providers;
- 9 (6) Two members who shall be consumer advocate members, one of whom shall be
10 appointed by the Speaker of the House of Representatives and one of whom shall be
11 appointed by the Senate Committee on Assignments; and
- 12 (7) Five members appointed by the Governor as follows:
- 13 (A) One member shall be a representative of the Georgia Association of Health Plans;
- 14 (B) One member shall be a representative of the Georgia Chamber of Commerce;
- 15 (C) One member shall be a representative of the National Federation of Independent
16 Business;
- 17 (D) One member shall be a representative of the Georgia Hospital Association; and
- 18 (E) One member shall be a representative of the Medical Association of Georgia.
- 19 (c) Vacancies in the task force shall be filled by appointment in the manner of the original
20 appointment.
- 21 (d) No business other than that necessary to establish the task force may be conducted until
22 all 13 members have been appointed. The chairperson shall convene the first meeting of
23 the task force within 30 days after the effective date of this Code section.
- 24 (e) The task force may hold public hearings, conduct research, receive the testimony of
25 experts, review for purposes of comparison the mandated health benefits upon health
26 insurance issuers in other states and jurisdictions and the effects of such mandates, and take
27 such other actions the task force determines appropriate for the completion of its assigned
28 task. At a minimum, the task force shall inquire into and make recommendations with
29 respect to:
- 30 (1) Each and every state mandated health benefit placed upon health insurance issuers in
31 Georgia since 1990; and
- 32 (2) The impact of each such mandated health benefit on the premiums for health
33 insurance coverage in Georgia and the ability of all Georgians to continue to afford health
34 care coverage.
- 35 (f) The task force shall make a final report with recommendations to the General Assembly
36 no later than January 1, 2006. Upon submission of such final report and recommendations,
37 the task force shall be dissolved by operation of law. Until such time as the task force

1 makes its final report, mandated health benefits beyond those required as of January 1,
2 2004, may be imposed on a health insurance issuer doing business in this state only after
3 at least a six-month review by the task force, submission of a written report to the members
4 of the General Assembly, and subsequent passage by the General Assembly and enactment
5 into law. Nothing in this Code section shall be construed to prohibit any health insurance
6 issuer from voluntarily expanding coverage or to prohibit any individual or employer from
7 electing to expand coverage on any health maintenance organization contract or individual
8 or group health insurance policy or contract covering the individual, the employer, or
9 employees of the employer as applicable."

10 **SECTION 2.**

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

13 **SECTION 3.**

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