

House Bill 290

By: Representatives Rogers of the 26th, Knox of the 24th, Meadows of the 5th, and Dodson of the 75th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-6-5 of the Official Code of Georgia Annotated, relating to other
2 unfair methods of competition and unfair and deceptive acts or practices, so as to provide an
3 exception to the requirement that major medical insurance policies or plans provide for
4 carry-over deductibles; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 33-6-5 of the Official Code of Georgia Annotated, relating to other unfair
9 methods of competition and unfair and deceptive acts or practices, is amended by striking
10 paragraph (14) and inserting in lieu thereof a new paragraph (14) to read as follows:

11 "(14) On and after July 1, 1992, no insurer, as defined in paragraph (4) of Code Section
12 33-1-2, shall issue, cause to be issued, renew, or provide coverage under any major
13 medical insurance policy or plan containing a calendar year deductible or similar plan
14 benefit period deductible which does not provide for a carry-over of the application of
15 such deductible as provided in this paragraph. If all or any portion of an insured's or
16 member's cash deductible for a calendar year or similar plan benefit period is applied
17 against covered expenses incurred by the insured or member during the last three months
18 of the deductible accumulation period, the insured's or member's cash deductible for the
19 next ensuing calendar year or similar benefit plan period shall be reduced by the amount
20 so applied. The provisions of this paragraph shall apply to major medical insurance
21 policies or plans which have a benefit plan period of less than 24 months, except policies
22 or plans designed and issued to be compatible with a health savings account as set out in
23 26 U.S.C. Section 223 or a spending account as defined in Chapter 30B of this title."

24 **SECTION 2.**

H. B. 290

- 1 All laws and parts of laws in conflict with this Act are repealed.