

**WITHDRAWN**

1 Senators Rogers of the 21st, Hudgens of the 47th and Shafer of the 48th offered the  
2 following amendment:

3 Amend the Senate Insurance and Labor Committee substitute to HB 320 by striking from line  
4 1 through 13 on page 1 and inserting in lieu thereof the following:

5 "To amend Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to  
6 individual health insurance coverage availability and assignment systems, so as to create  
7 the Commission on the Georgia Health Insurance Risk Pool; to provide for its membership,  
8 duties, and functions; to provide for related matters; to repeal conflicting laws; and for  
9 other purposes."

10 By redesignating Section 8 as Section 2 and by striking from line 16 on page 1 through line  
11 29 on page 22 and inserting in lieu thereof the following:

12 "Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual  
13 health insurance coverage availability and assignment systems, is amended by designating  
14 the existing text as Article 1 and adding a new Article 2 to read as follows:

15 'ARTICLE 2

16 33-29A-20.

17 (a) As used in this article, the term:

18 (1) "Commission" means the Commission on the Georgia Health Insurance Risk Pool.

19 (2) "Commissioner" means the Commissioner of Insurance.

20 (3) "Eligible individual" has the same meaning as specified in Sections 2701 and 2741  
21 of the federal Public Health Service Act, 42 U.S.C.A. Sections 300gg and 300gg-41.

22 (4) "Dependent" means a spouse or unmarried child under 18 years of age residing with  
23 the eligible individual or a child who is a full-time student according to paragraph (3) of  
24 subsection (a) of Code Section 33-29-2 or paragraph (4) of Code Section 33-30-4.

25 (5) "Insured" means a resident who is eligible to receive benefits from the pool.

26 (6) "Insurer" means any entity authorized to write health insurance in this state.

27 (7) "Pool" means the Georgia Health Insurance Risk Pool.

28 (8) "Resident" means an individual who has legally domiciled in Georgia for a minimum  
29 of 90 days; who is legally domiciled in Georgia and eligible for enrollment in the pool  
30 as a result of the federal Health Insurance Portability and Accountability Act of 1996, P.  
31 L. 104-191; or is eligible for federal Health Coverage Tax Credits.

1 (b) Any other term which is used in this article and which is also defined in Section 2791  
2 of the federal Public Health Service Act, 42 U.S.C.A. Section 300gg-92, and not otherwise  
3 defined in this article shall have the same meaning specified in said Section 2791.

4 33-29A-21.

5 (a) There is created the Commission on the Georgia Health Insurance Risk Pool, consisting  
6 of nine members appointed as provided in this Code section, to conduct a feasibility study  
7 and provide recommendations for establishment of the Georgia Health Insurance Risk Pool  
8 as an acceptable alternative mechanism, as contemplated by Section 2741 of the federal  
9 Public Health Service Act, 42 U.S.C.A. Section 300gg-41, for coverage for uninsurable  
10 individuals and persons eligible for federal Health Coverage Tax Credits. The commission  
11 shall exist for such time as needed to carry out its duties and powers, but not beyond  
12 June 30, 2006.

13 (b) The Commissioner shall appoint one person affiliated with an insurer licensed to write  
14 health insurance in this state; one person affiliated with an organization having, as a line  
15 of business or specialty, disease state management; and one person licensed to sell health  
16 insurance in this state.

17 (c) The Governor shall appoint one person representing the medical provider community,  
18 such as a physician licensed to practice medicine in this state or a hospital administrator;  
19 one employer whose principal business location is in this state and who offers health  
20 insurance coverage to his or her employees and purchases stop loss insurance; and one  
21 representative of the general public reasonably expected to qualify for pool coverage and  
22 not employed by or affiliated with an insurance company or plan. The Governor shall  
23 appoint one additional member to serve as chairperson who shall not vote except to break  
24 a tie. The chairperson shall serve at the pleasure of the Governor.

25 (d) The Senate Committee on Assignments and the Speaker of the House shall each  
26 appoint one member to the commission.

27 (e) The commission shall hold meetings at the call of the chairperson. A quorum shall be  
28 a majority of the members of the commission.

29 (f) Any legislative members of the commission shall receive the allowances provided for  
30 in Code Section 28-1-8. Citizen members shall receive a daily expense allowance in the  
31 amount specified in subsection (b) of Code Section 45-7-21 and the same mileage or  
32 transportation allowance as authorized for state employees. Any members of the  
33 commission who are state officials, other than legislative members, or state employees  
34 shall receive no compensation for their services on the commission, but shall be reimbursed  
35 for expenses incurred in the performance of their duties as members of the commission in  
36 the same manner as they are reimbursed for expenses in their capacities as state officials

1 or employees. Funds necessary for reimbursement of expenses of state officials, other than  
2 legislative members, and state employees shall come from funds appropriated to or  
3 otherwise available to their respective agencies or departments.

4 33-29A-22.

5 (a) On or before December 15, 2005, the commission shall report to the Governor, the  
6 President of the Senate, and the Speaker of the House of Representatives on any  
7 recommendations for legislation and the results of an actuarial and feasibility study  
8 conducted by the commission to determine, without limitation, the following:

9 (1) The impact that the creation of the pool will have on the small and large group  
10 insurance markets and the individual market, on premiums paid by insureds, including  
11 an estimate of total anticipated savings for all purchasers of health insurance in this state;

12 (2) The number of individuals and dependents the pool could reasonably cover at various  
13 premium levels, along with cost estimates for such coverage;

14 (3) An analysis of various sources of funding and a recommendation as to the best source  
15 of funding for the future anticipated deficits of the pool; and

16 (4) The impact that eligibility of persons qualifying for federal health coverage tax  
17 credits will have on the pool.

18 (b) The commission is authorized to:

19 (1) Enter into contracts to carry out its powers and duties under this article;

20 (2) Appoint appropriate legal, actuarial, and other committees that are necessary to  
21 provide technical assistance in carrying out the purposes of the commission;

22 (3) Evaluate cost containment measures and risk reduction practices, along with  
23 opportunities for delivery of cost-effective health care services through the pool; and

24 (4) Evaluate the feasibility of a list of medical conditions for which a person shall be  
25 eligible for pool coverage without applying for health insurance.

26 (c) The commission shall have authority to evaluate and apply for grants and resources,  
27 public and private, for which it may qualify for executing its powers and duties under this  
28 article, including, but not limited to, start-up funds for state high risk pools under the  
29 federal Trade Act of 2002 or related legislation to extend such funding and funds as they  
30 are available for expansion of coverage to persons eligible for federal Health Coverage Tax  
31 Credits.

32 (d) Not later than June 30, 2006, the commission shall make a final report to the Governor,  
33 the General Assembly, and the Commissioner with all of its findings and  
34 recommendations."