

Senate Bill 439

By: Senators Meyer von Bremen of the 12th, Hooks of the 14th and Golden of the 8th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,  
2 relating to the state employees' health insurance plan, so as to provide that any employee or  
3 other individual covered under the state health insurance plan who has been assessed any late  
4 charge or surcharge due to noncompliance with any established deadline shall be given an  
5 opportunity to provide proof of attempted compliance; to provide for the cessation and  
6 recoupment of such charges and surcharges; to provide for related matters; to provide for  
7 applicability; to provide for an effective date; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the  
12 state employees' health insurance plan, is amended by adding a new Code section to the end  
13 of such article to read as follows:

14 "45-18-20.

15 The board shall provide that any employee or other individual covered under the health  
16 insurance plan established pursuant to this article who has been assessed any late charge  
17 or surcharge due to noncompliance with any established deadline shall be given an  
18 opportunity to provide proof that he or she attempted to comply with such deadline and was  
19 not able to comply due to circumstances beyond his or her control. Proof of attempted  
20 compliance may include a computer screen printout of a failed attempt due to technical  
21 reasons for an attempt to comply through electronic means and a receipt for registered or  
22 certified mail or statutory overnight delivery, return receipt requested, for an attempt to  
23 comply by mail. In the event the employee or other individual provides such proof, the  
24 board shall cease assessing such late charge or surcharge and shall cause to be credited  
25 back to the employee or other individual any late charge or surcharge which has already  
26 been assessed to and paid by or deducted from such employee or other individual."

