

Senate Bill 476

By: Senators Miles of the 43rd, Jones of the 10th, Butler of the 55th, Thomas of the 2nd, Seay of the 34th and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to
2 programs and protection for children and youth, so as to enact the "PeachKids—Health
3 Insurance for All Georgia Children Act"; to provide for a short title; to provide for
4 definitions; to provide for the creation of the PeachKids health care insurance plan; to
5 provide for eligibility, health care services, and payment of premiums and copayments; to
6 provide for contracted services; to provide for health care provider enrollment; to provide for
7 application for funding sources; to provide for rules and regulations; to provide for
8 construction; to provide for an annual report; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

11 **SECTION 1.**

12 Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to programs and
13 protection for children and youth, is amended by adding a new article to read as follows:

14 **"ARTICLE 13A**

15 **49-5-275.**

16 This article shall be known and may be cited as the 'PeachKids—Health Insurance for All
17 Georgia Children Act.'

18 **49-5-276.**

19 The General Assembly finds that a large proportion of children in Georgia do not currently
20 have access to affordable or adequate health care. Without access to health care, a child's
21 ability to reach his or her full physical and educational potential is hindered. The General
22 Assembly finds and declares the provision of adequate health insurance coverage to be in
23 the public interest and further declares the establishment of the program pursuant to this

1 article to be a desirable and economical means of increasing access to affordable and
2 adequate health care.

3 49-5-277.

4 As used in this article, the term:

5 (1) 'Department' means the Department of Community Health.

6 (2) 'Medicaid' means medical assistance provided under Article 7 of Chapter 4 of this
7 title, the 'Georgia Medical Assistance Act of 1977.'

8 (3) 'PeachCare' means the PeachCare for Kids Program created by Code Section
9 49-5-273.

10 (4) 'PeachKids' or 'program' means the PeachKids health care insurance plan created by
11 Code Section 49-5-278.

12 49-5-278.

13 (a) There is created the PeachKids health care insurance plan to provide health care
14 insurance for children in families with income at or above 235 percent of the federal
15 poverty level.

16 (b) Children who meet all of the following criteria shall be eligible for PeachKids which
17 shall be administered by the department:

18 (1) Children from birth through 18 years of age in families with a family income at or
19 above 235 percent of the federal poverty level;

20 (2) Children who are not eligible for medical assistance under Medicaid, PeachCare, or
21 medicare;

22 (3) Children who are residents of the State of Georgia and citizens of the United States
23 of America; and

24 (4) Children who have not been covered by health insurance for the immediate previous
25 six months, unless the child is less than six months of age or the child's parent has been
26 involuntarily separated from his or her employment or his or her employer has
27 discontinued health insurance coverage as an employee benefit.

28 Children of families whose annual income has increased to prohibit their participation in
29 Medicaid or PeachCare shall be entitled to enroll in PeachKids without penalty or waiting
30 period.

31 (c) PeachKids shall offer substantially the same health care services and coverage
32 available to children under PeachCare.

33 (d) The department shall require payment of premiums for participation in PeachKids as
34 follows:

- 1 (1) Forty dollars per month per child up to a total family maximum of \$80.00 for
2 children in families with a family income determined to be under \$100,000.00 per year;
- 3 (2) Sixty dollars per month per child for children in families with a family income
4 determined to be between \$100,000.00 and \$114,999.00 per year;
- 5 (3) Seventy dollars per month per child for children in families with a family income
6 determined to be between \$115,000.00 and \$129,999.00 per year;
- 7 (4) Eighty dollars per month per child for children in families with a family income
8 determined to be between \$130,000.00 and \$149,999.00 per year; and
- 9 (5) Ninety dollars per month per child for children in families with a family income
10 determined to be \$150,000.00 or more per year.

11 (e) The department shall set copayment requirements for participants for services
12 provided under PeachKids which shall not exceed the following:

- 13 (1) Ten dollars for each visit to a health care provider who is not a specialist and 5
14 percent of the cost of a prescription drug for families earning less than \$100,000.00 per
15 year;
- 16 (2) Twenty dollars for each visit to a health care provider who is not a specialist and 15
17 percent of the cost of a prescription drug for families earning between \$100,000.00 and
18 \$114,999.00 per year; and
- 19 (3) Twenty-five dollars for each visit to a health care provider who is not a specialist and
20 20 percent of the cost of a prescription drug for families earning more than \$114,999.00
21 per year.

22 (f) The department, through the Department of Administrative Services or any other
23 appropriate entity, may contract for any or all of the following: collection of premiums,
24 processing of applications, outreach, data services, and evaluation, if such contracting
25 achieves administrative or service cost efficiency. The department, and other state
26 agencies as appropriate, shall provide necessary information to any entity that has
27 contracted with the department for services related to the administration of the PeachKids
28 plan.

29 (g) Any health care provider who is enrolled in the Medicaid program shall be deemed to
30 be enrolled in the program.

31 (h) The department is encouraged to apply for any public, nonprofit, or private funding
32 which may be available to subsidize the cost of PeachKids to the state.

33 (i) The department may promulgate such rules and regulations as it deems necessary to
34 effectuate this article.

35 (j) Nothing in this article shall be interpreted in a manner so as to preclude the department
36 from contracting with licensed health maintenance organizations or provider sponsored
37 health care corporations for coverage of program services and eligible children. The

1 department may require enrollment in a health maintenance organization or provider
2 sponsored health care corporation as a condition of receiving coverage under the program.
3 (k) The department shall publish an annual report, copies of which shall be provided to the
4 Governor and the General Assembly, setting forth the number of participants in the
5 program, the health care services provided, the amount of money paid to providers, and
6 other pertinent information with respect to the administration of the program."

7 **SECTION 2.**

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