

House Bill 1184

By: Representatives Ramsey of the 72nd, Graves of the 12th, Cole of the 125th, Pruett of the 144th, May of the 111th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to
2 individual health insurance coverage, so as to authorize insurers to offer individual accident
3 and sickness insurance policies in Georgia that have been approved for issuance in other
4 states; to provide for legislative findings; to provide for minimum standards for such policies;
5 to provide for certain notices; to provide for examinations of such insurers; to authorize the
6 Commissioner of Insurance to adopt rules and regulations; to authorize the Commissioner
7 of Insurance to explore and initiate reciprocity agreements with other states; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual
12 health insurance coverage, is amended by adding a new article to read as follows:

13 "ARTICLE 3

14 33-29A-30.

15 The General Assembly recognizes the high level of uninsured individuals in this state and
16 the need for individuals or other purchasers of health insurance coverage in this state to
17 have the opportunity to choose health insurance plans that are more affordable and flexible
18 than existing market policies offering accident and sickness insurance coverage. Therefore,
19 the General Assembly seeks to increase the availability of health insurance coverage by
20 allowing insurers authorized to engage in the business of insurance in this state who are
21 also authorized to engage in the business of insurance in selected other states to issue
22 individual accident and sickness policies in Georgia. In addition, the General Assembly
23 seeks to initiate cooperation with other states to explore the possibility of reciprocity
24 agreements so as to provide for a single approval of individual accident and sickness

25 insurance policies with such states. By creating multistate reciprocity agreements, the
26 single required approval for the larger population of the participating states will be
27 attractive to insurers to develop and rapidly introduce cost-effective products to Georgians.

28 33-29A-31.

29 The Commissioner shall approve for sale in Georgia any individual accident and sickness
30 insurance policy that has been approved for issuance in other states where the insurer is
31 authorized to engage in the business of insurance so long as the insurer is also authorized
32 to engage in the business of insurance in this state and provided that any such policy meets
33 the requirements set forth in this article. For purposes of this article, the term 'individual
34 accident and sickness insurance policy' means any individual comprehensive major medical
35 policy insuring against loss resulting from sickness or from bodily injury or death by
36 accident, or both, or any contract to furnish ambulance service in the future.

37 33-29A-32.

38 A policy approved and issued pursuant to this article shall be treated as if it were issued by
39 an insurer domiciled in Georgia regardless of such insurer's actual domiciliary.

40 33-29A-33.

41 (a) Any insurer selling an insurance plan pursuant to this article, and any plan approved
42 by this article, shall satisfy actuarial standards set forth by the National Association of
43 Insurance Commissioners (NAIC) and adopted by regulation promulgated by the
44 Commissioner or as otherwise prescribed by regulation promulgated by the Commissioner
45 so long as any such regulation is not inconsistent with such NAIC standards.

46 (b) The Commissioner shall have the authority to determine whether an insurer satisfies
47 the standards required by this Code section and may not approve a plan that he or she finds
48 lacks compliance with this Code section. The Commissioner shall have the authority to
49 determine whether the plan sold pursuant to this article continues to satisfy the
50 requirements set forth in this Code section in the same manner as he or she does with an
51 individual accident and sickness insurance policy approved pursuant to another applicable
52 chapter in this title.

53 (c) Any policy sold in this state under the coverage and laws and regulations of another
54 state that are not covered by a guaranty association as defined in Code Section 33-37-3 or
55 similar association of such other state shall be deemed members of the Georgia Life and
56 Health Insurance Guaranty Association as created pursuant to Code Section 33-38-5.

57 33-29A-34.

58 (a) Each written application for participation in an out-of-state health benefit plan shall
59 contain the following language in boldface type at the beginning of the document:

60 'This policy is primarily governed by the laws of a state other than Georgia; therefore, all
61 of the rating laws applicable to policies filed in this state do not apply to this policy. Any
62 purchase of individual health insurance should be considered carefully since future
63 medical conditions may make it impossible to qualify for another individual health
64 policy.'

65 (b) Each out-of-state health benefit plan shall contain the following language in boldface
66 type at the beginning of the document:

67 'The benefits of this policy providing your coverage are governed primarily by the laws
68 of a state other than Georgia. The benefits covered may be different from other policies
69 you can purchase. Please consult your insurance agent or health plan to determine which
70 health benefits are covered under this policy.'

71 33-29A-35.

72 (a) The Commissioner shall adopt rules and regulations necessary to implement this article.

73 (b) Any dispute resolution mechanism or provision for notice and hearing in this title shall
74 apply to insurers issuing and delivering plans pursuant to this article.

75 (c) The Commissioner is directed to initiate the process of exploring and coordinating
76 discussions with other states in an effort to enter into reciprocity agreements with such
77 states providing for the approval, offer, sale, rating, including medical underwriting,
78 renewal, and issuance of individual accident and sickness insurance policies with all such
79 participating states."

80 **SECTION 2.**

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