

Senate Bill 445

By: Senator Hill of the 32nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to  
2 provide that insurers that issue plans of individual accident and sickness insurance in this  
3 state shall include within at least one such plan offered in this state a wellness incentive  
4 program under which the insurer shall provide a partial premium reimbursement for those  
5 insureds under such policy who meet the requirements of such wellness incentive program;  
6 to provide that insurers that include and operate wellness and health promotion programs,  
7 disease and condition management programs, health risk appraisal programs, and similar  
8 provisions in their individual accident and sickness policies shall not be considered to be  
9 engaging in unfair trade practices with respect to references to the practices of illegal  
10 inducements, unfair discrimination, and rebating; to provide for related matters; to provide  
11 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

14 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by  
15 adding a new Code section to Chapter 29, relating to individual accident and sickness  
16 insurance, to read as follows:

17 "33-29-3.5.

18 (a) Insurers that issue plans of individual accident and sickness insurance in this state shall  
19 include within at least one such plan offered in this state a wellness incentive program  
20 under which the insurer shall provide annually a partial premium cash reimbursement for  
21 those insureds under such policy who meet the requirements of such wellness incentive  
22 program, including, but not limited to, participating in wellness and health promotion  
23 programs, disease and condition management programs, and health risk appraisal programs  
24 and providing biometric data, such as blood pressure levels, cholesterol levels, and body  
25 mass index values, conforming with nationally recognized standards based upon age or  
26 industry recognized biometrics.

27 (b) Insurers that include and operate wellness and health promotion programs, disease and  
28 condition management programs, health risk appraisal programs, and similar provisions in  
29 their individual accident and sickness policies shall not be considered to be engaging in  
30 unfair trade practices under Code Section 33-6-4 with respect to references to the practices  
31 of illegal inducements, unfair discrimination, and rebating."

## 32 SECTION 2.

33 Said title is further amended by adding a new Code section to Chapter 30, relating to group  
34 or blanket accident and sickness insurance, as follows:

35 "33-30-4.6.

36 (a) Insurers that issue plans of group or blanket accident and sickness insurance in this  
37 state shall include within at least one such plan offered in this state a wellness incentive  
38 program under which the insurer shall provide annually a partial premium cash  
39 reimbursement for those insureds under such policy who meet the requirements of such  
40 wellness incentive program, including, but not limited to, participating in wellness and  
41 health promotion programs, disease and condition management programs, and health risk  
42 appraisal programs and providing biometric data, such as blood pressure levels, cholesterol  
43 levels, and body mass index values, conforming with nationally recognized standards based  
44 upon age or industry recognized biometrics.

45 (b) Insurers that include and operate wellness and health promotion programs, disease and  
46 condition management programs, health risk appraisal programs, and similar provisions in  
47 their group or blanket accident and sickness policies shall not be considered to be engaging  
48 in unfair trade practices under Code Section 33-6-4 with respect to references to the  
49 practices of illegal inducements, unfair discrimination, and rebating."

## 50 SECTION 3.

51 This Act shall become effective on July 1, 2010, and shall apply to all policies issued,  
52 delivered, or issued for delivery in this state on and after such date.

## 53 SECTION 4.

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