

Senate Bill 509

By: Senators Golden of the 8th, Staton of the 18th, Powell of the 23rd, Stoner of the 6th and Butterworth of the 50th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 general insurance provisions, so as to establish the Special Advisory Commission on
3 Mandated Health Insurance Benefits; to provide for its membership, terms, meetings, and
4 duties; to provide for review of proposed legislation containing a mandated health insurance
5 benefit or provider; to provide for review of existing mandated health insurance benefits or
6 providers; to provide for staff assistance; to provide for related matters; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance
11 provisions, is amended by adding a new Code section to read as follows:

12 "33-1-19.

13 (a) The Special Advisory Commission on Mandated Health Insurance Benefits is hereby
14 established, effective February 1, 2011, to advise the Governor and the General Assembly
15 on the social and financial impact of current and proposed mandated benefits and
16 providers, in the manner set forth in this Code section. The advisory commission shall be
17 composed of 14 members and three ex officio members. Ten members shall be appointed
18 by the Governor on or after February 1, 2011, as follows: one physician, one chief
19 executive officer of a general, acute care hospital, one allied health professional, one
20 representative of small business, one representative of a major industry, one expert in the
21 field of medical ethics, two representatives of the accident and health insurance industry,
22 and two citizen members. The President of the Senate shall appoint one member from the
23 Senate Health and Human Services Committee and one member from the Senate Insurance
24 and Labor Committee, and the Speaker of the House of Representatives shall appoint one
25 member from the House Committee on Health and Human Services and one member from
26 the House Committee on Insurance. The commissioner of community health, the

27 Commissioner of Labor, and the Commissioner of Insurance shall serve as ex officio,
28 nonvoting members. All members shall be appointed for terms of four years each, except
29 that appointments to fill vacancies shall be made for the unexpired terms.

30 (b) No person shall be eligible to serve for or during more than two successive four-year
31 terms; but after the expiration of a term of two years or less, or after the expiration of the
32 remainder of a term to which appointed to fill a vacancy, two additional four-year terms
33 may be served by such a member if so appointed.

34 (c) The advisory commission shall meet regularly and at the request of the Governor. The
35 first meeting of the advisory commission shall be held no later than March 1, 2011, at
36 which time the advisory commission shall select a chairperson and a vice chairperson, as
37 determined by the membership.

38 (d) The advisory commission shall:

39 (1) Develop and maintain, with the Department of Insurance, a system and program of
40 data collection to assess the impact of mandated benefits and providers, including costs
41 to employers and insurers, impact of treatment, cost savings in the health care system,
42 number of providers, and other data as may be appropriate;

43 (2) Advise and assist the Department of Insurance on matters relating to mandated
44 insurance benefits and provider regulations;

45 (3) Prescribe the format, content, and timing of information to be submitted to the
46 advisory commission in its assessment of proposed and existing mandated benefits and
47 providers. Such format, content, and timing requirements shall be binding upon all parties
48 submitting information to the advisory commission in its assessment of proposed and
49 existing mandated benefits and providers;

50 (4) Provide assessments of proposed and existing mandated benefits and providers and
51 other studies of mandated benefits and provider issues as requested by the General
52 Assembly;

53 (5) Provide additional information and recommendations, relating to any system of
54 mandated health insurance benefits and providers, to the Governor and the General
55 Assembly, upon request; and

56 (6) Report annually on its activities to the joint standing committees of the General
57 Assembly having jurisdiction over insurance by December 1 of each year.

58 (e) Members of the advisory commission shall receive for their attendance of meetings of
59 the advisory commission the allowances authorized for legislative members of interim
60 legislative committees pursuant to Code Section 28-1-8.

61 (f)(1) Whenever legislation containing a mandated health insurance benefit or provider
62 is proposed, the standing committee of the General Assembly having jurisdiction over the
63 proposal shall request that the advisory commission prepare and forward to the Governor

64 and the General Assembly a study that assesses the social and financial impact and the
65 medical efficacy of the proposed mandate. The advisory commission shall be given a
66 period of six months, or until commencement of the next General Assembly, whichever
67 is longer, to complete and submit its assessment.

68 (2) The advisory commission shall assess the social and financial impact and the medical
69 efficacy of existing mandated benefits and providers in effect as of January 1, 2011. The
70 advisory commission shall submit a schedule of evaluations to the standing committees
71 of the General Assembly having jurisdiction over health insurance matters by May 1,
72 2011, setting forth the dates by which particular mandates shall be evaluated by the
73 advisory commission. The evaluations shall be completed and submitted to such standing
74 committees no later than December 31, 2011.

75 (g) The Department of Insurance, the Department of Labor, the Department of Community
76 Health, and such other state agencies as may be considered appropriate by the advisory
77 commission shall provide staff assistance to the advisory commission."

78 **SECTION 2.**

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