

Senate Bill 105

By: Senators Hill of the 32nd and Johnson of the 1st

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 the Commissioner of Insurance shall be authorized to allow certain health
3 reimbursement arrangement only plans that encourage employer financial support of health
4 insurance or health related expenses to be approved for sale in connection with or packaged
5 with otherwise approved individual health insurance policies; to provide for an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

11 "33-51-7.

12 (a) The Commissioner shall be authorized to allow health reimbursement arrangement
13 only plans that encourage employer financial support of health insurance or health related
14 expenses recognized under the rules of the federal Internal Revenue Service to be approved
15 for sale in connection with or packaged with individual health insurance policies otherwise
16 approved by the Commissioner.

17 (b) Health reimbursement arrangement only plans that are not sold in connection with or
18 packaged with individual health insurance policies shall not be considered insurance under
19 this title.

20 (c) Individual insurance policies offered or funded through health reimbursement
21 arrangements shall not be considered employer sponsored or group coverage for purposes
22 of this title, and nothing in this Code section shall be interpreted to require an insurer to
23 offer an individual health insurance policy for sale in connection with or packaged with a
24 health reimbursement arrangement or to accept premiums from health reimbursement
25 arrangement plans for individual health insurance policies."

26 **SECTION 2.**

27 This Act shall become effective upon its approval by the Governor or upon its becoming law
28 without such approval.

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.