09 LC 28 4516

Senate Bill 105

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

AS PASSED SENATE

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.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

| 9 | Title 33 of the Official Code of G | eorgia Annotated, | relating to insu | rance, is amended by |
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- 10 adding a new Code section to read as follows:
- 11 "<u>33-51-7.</u>

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12 (a) The Commissioner shall be authorized to allow health reimbursement arrangement

SECTION 1.

- 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
- 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 <u>arrangements shall not be considered employer sponsored or group coverage for purposes</u>
- of this title, and nothing in this Code section shall be interpreted to require an insurer to
- offer an individual health insurance policy for sale in connection with or packaged with a
- 24 <u>health reimbursement arrangement or to accept premiums from health reimbursement</u>
- 25 <u>arrangement plans for individual health insurance policies."</u>

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26 SECTION 2.

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

SECTION 3.

30 All laws and parts of laws in conflict with this Act are repealed.