

Senate Bill 282

By: Senators Hill of the 32nd and Harp of the 29th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 51 of Title 33 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Affordable HSA Eligible High Deductible Health Plan, so as to require insurers who  
3 issue high deductible health plans sold or maintained under the applicable provisions of  
4 Section 223 of the Internal Revenue Code in this state to offer at least one such plan with  
5 provisions for wellness incentives; to provide for related matters; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 51 of Title 33 of the Official Code of Georgia Annotated, relating to the Georgia  
10 Affordable HSA Eligible High Deductible Health Plan, is amended by revising Code  
11 Section 33-51-4, relating to programs not considered unfair trade practice, as follows:

12 "33-51-4.

13 (a) Insurers that issue high deductible health plans sold or maintained under the applicable  
14 provisions of Section 223 of the Internal Revenue Code in this state shall include within  
15 at least one such plan offered in this state a wellness incentive program under which the  
16 insurer shall provide a partial premium reimbursement for those insureds under such policy  
17 who meet the requirements of such wellness incentive program, including, but not limited  
18 to, participating in health risk appraisal programs and providing biometric data.

19 (b) Insurers that include and operate wellness and health promotion programs, disease and  
20 condition management programs, health risk appraisal programs, and similar provisions in  
21 their high deductible health policies in keeping with federal requirements shall not be  
22 considered to be engaging in unfair trade practices under Code Section 33-6-4 with respect  
23 to references to the practices of illegal inducements, unfair discrimination, and rebating."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.