

Senate Bill 286

By: Senator Hill of the 32nd

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 in connection with such plans
5 wellness and health promotion programs, disease and condition management programs, and
6 health risk appraisal programs; to provide for an annual premium rebate under certain
7 conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "33-51-4.

14 (a) Insurers that issue high deductible health plans sold or maintained under the applicable
15 provisions of Section 223 of the Internal Revenue Code in this state shall offer in
16 connection with such plans wellness and health promotion programs, disease and condition
17 management programs, and health risk appraisal programs. Such plans shall provide an
18 annual cash refund of not less than 10 percent of the annual premium for compliance with
19 such disease and condition management programs or biometrics, such as blood pressure
20 levels, cholesterol levels, and body mass index values, conforming with nationally
21 recognized standards based upon age or industry recognized biometrics.

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

27

SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.