

Senate Bill 411

By: Senators Hudgens of the 47th, Goggans of the 7th, Seabaugh of the 28th, Mullis of the 53rd, Wiles of the 37th and others

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 for a short title; to provide for exemptions from certain unfair trade practices for
3 certain wellness and health promotion programs, condition or disease management programs,
4 health risk appraisal programs, and similar provisions in certain individual accident and
5 sickness insurance and group accident and sickness insurance policies; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be know and may be cited as the "Healthy Georgians Act of 2010."

10 **SECTION 2.**

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

13 "33-29-23.

14 Insurers that include and operate wellness and health promotion programs, disease and
15 condition management programs, health risk appraisal programs, and similar provisions in
16 their health benefit polices in keeping with federal requirements shall not be considered to
17 be engaging in unfair trade practices under Code Section 33-6-4 with respect to references
18 to the practices of illegal inducements, unfair discrimination, and rebating."

19 **SECTION 3.**

20 Said title is further amended by adding a new Code section to read as follows:

21 "33-30-16.

22 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 health benefit polices in keeping with federal requirements shall not be considered to

25 be engaging in unfair trade practices under Code Section 33-6-4 with respect to references
26 to the practices of illegal inducements, unfair discrimination, and rebating."

27 **SECTION 4.**

28 All laws and parts of laws in conflict with this Act are repealed.