

Senate Bill 25

By: Senators Hill of the 32nd, Heath of the 31st, Rogers of the 21st and Shafer of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding state government, so as to provide for legislative findings; to
3 provide that no department or agency shall implement any provision of federal health care
4 reform legislation unless the department or agency provides a certain report to the General
5 Assembly and the General Assembly authorizes such implementation by statute; to provide
6 for related matters; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The General Assembly finds that:

- 11 (1) Georgia's health care system has been developed to address the unique circumstances
12 in the State of Georgia and to provide solutions that work for Georgia; and
13 (2) The federal government Patient Protection and Affordable Care Act:
14 (A) Infringes on state powers;
15 (B) Imposes a uniform solution to a problem that requires different responses in
16 different states;
17 (C) Threatens the progress Georgia has made towards health care system reform; and
18 (D) Infringes on the rights of citizens of this state to provide for their own health care
19 by:
20 (i) Requiring a person to enroll in a third-party payment system;
21 (ii) Imposing fines on a person who chooses to pay directly for health care rather than
22 use a third-party payer;
23 (iii) Imposing fines on an employer that does not meet federal standards for providing
24 health care benefits for employees; and
25 (iv) Threatening private health care systems with competing government supported
26 health care systems.

27 **SECTION 2.**

28 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
29 provisions regarding state government, is amended by adding a new Code section to read as
30 follows:

31 "50-1-10.

32 (a) A department or agency of the state shall not implement any part of any federal health
33 care reform passed by the United States Congress on or after March 1, 2010, including, but
34 not limited to, the federal Patient Protection and Affordable Care Act (P. L. 111-148),
35 unless:

36 (1) The department or agency reports to the General Assembly in accordance with
37 subsection (b) of this Code section; and

38 (2) The General Assembly passes legislation specifically authorizing the state's
39 implementation or enforcement of the federal Patient Protection and Affordable Care Act
40 (P. L. 111-148) or any other federal health care law enacted after March 1, 2010, if such
41 implementation or enforcement authority does not already exist.

42 (b) The report required under subsection (a) of this Code section shall include:

43 (1) The specific section of the federal statute or regulation that requires the state to
44 implement a federal law provision;

45 (2) Whether the federal law has any state waiver or options;

46 (3) Exactly what the federal law requires the state to do and how it would be
47 implemented;

48 (4) Who in the state will be impacted by adopting the federal law provisions or not
49 adopting the federal law provisions;

50 (5) The cost to the state or citizens of the state to implement the federal law provisions;
51 and

52 (6) The consequences to the state if the state does not comply with the federal law
53 provisions."

54 **SECTION 3.**

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

57 **SECTION 4.**

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