

House Bill 365

By: Representatives Harbin of the 118th, Rogers of the 26th, Davis of the 109th, Brockway of the 101st, and Heard of the 114th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to provide that certain membership subscription agreements for
3 prepaid air ambulance service shall not constitute a contract of insurance; to provide that
4 certain actions relating to such agreements shall not constitute the writing of insurance; to
5 provide for definitions; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
10 generally, is amended by adding a new Code section to read as follows:

11 "33-1-19.

12 (a) As used in this Code section, the term:

13 (1) 'Air ambulance' means any rotary-wing aircraft used or intended to be used for hire
14 for transportation of sick or injured persons who may need medical attention during
15 transport.

16 (2) 'Air ambulance service' means the for-hire providing of emergency care and
17 transportation by means of an air ambulance for an injured or sick person to or from a
18 place where medical or hospital care is furnished.

19 (3) 'Membership fees' means amounts collected by a membership provider as
20 consideration for a membership subscription.

21 (4) 'Membership provider' means an entity that is licensed to provide air ambulance
22 services pursuant to Chapter 11 of Title 31.

23 (5) 'Membership subscription' means an agreement where a membership provider's
24 charges to a subscription member for air ambulance services are discounted or are
25 prepaid, but only for charges that are not otherwise covered by a third party.

26 (6) 'Subscription member' means an individual who is the beneficiary of a membership
27 subscription.

28 (b)(1) The solicitation of membership subscriptions, the acceptance of applications for
29 membership subscriptions, the charging of membership fees, and the furnishing of
30 prepaid or discounted air ambulance service to subscription members by a membership
31 provider shall not constitute the writing of insurance.

32 (2) A membership subscription shall not constitute a contract of insurance."

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.