

Senate Bill 17

By: Senators Golden of the 8th, Goggans of the 7th and Shafer of the 48th

AS PASSED SENATE

**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 general insurance provisions, so as to establish the Special Advisory Commission on
3 Mandated Health Insurance Benefits; to provide for its membership, terms, meetings, and
4 duties; to provide for review of proposed legislation containing a mandated health insurance
5 benefit or provider; to provide for review of existing mandated health insurance benefits or
6 providers; to provide for staff assistance; to provide for related matters; to repeal conflicting
7 laws; and for other purposes.

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

9 **SECTION 1.**

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

12 "33-1-19.

13 (a) The Special Advisory Commission on Mandated Health Insurance Benefits is hereby
14 established, effective February 1, 2012, to advise the Governor and the General Assembly
15 on the social and financial impact of current and proposed mandated benefits and
16 providers, in the manner set forth in this Code section. The advisory commission shall be
17 composed of 16 members and three ex officio members. Twelve members shall be
18 appointed by the Governor on or after February 1, 2012, as follows: one dentist, one family
19 practice physician, one physician who is a specialist in chronic disease, one chief medical
20 officer of a general, acute care hospital, one allied health professional, one representative
21 of small business, one representative of a major industry, one expert in the field of medical
22 ethics, one representative of the accident and health insurance industry, one representative
23 from the Georgia Association of Health Plans, and two citizen members. The Senate
24 Committee on Assignments shall appoint one member from the Senate Health and Human
25 Services Committee and one member from the Senate Insurance and Labor Committee, and
26 the Speaker of the House of Representatives shall appoint one member from the House

27 Committee on Health and Human Services and one member from the House Committee
28 on Insurance. The commissioner of community health, the Commissioner of Labor, and
29 the Commissioner of Insurance shall serve as ex officio, nonvoting members. All members
30 shall be appointed for terms of four years each, except that appointments to fill vacancies
31 shall be made for the unexpired terms.

32 (b) No person shall be eligible to serve for or during more than two successive four-year
33 terms; but after the expiration of a term of two years or less, or after the expiration of the
34 remainder of a term to which appointed to fill a vacancy, two additional four-year terms
35 may be served by such a member if so appointed.

36 (c) The advisory commission shall meet regularly and at the request of the Governor. The
37 first meeting of the advisory commission shall be held no later than March 1, 2012, at
38 which time the advisory commission shall select a chairperson and a vice chairperson, as
39 determined by the membership.

40 (d) The advisory commission shall:

41 (1) Develop and maintain, with the Department of Insurance, a system and program of
42 data collection to assess the impact of mandated benefits and providers, including costs
43 to employers and insurers, impact of treatment, cost savings in the health care system,
44 number of providers, and other data as may be appropriate;

45 (2) Advise and assist the Department of Insurance on matters relating to mandated
46 insurance benefits and provider regulations;

47 (3) Prescribe the format, content, and timing of information to be submitted to the
48 advisory commission in its assessment of proposed and existing mandated benefits and
49 providers. Such format, content, and timing requirements shall be binding upon all parties
50 submitting information to the advisory commission in its assessment of proposed and
51 existing mandated benefits and providers;

52 (4) Provide assessments of proposed and existing mandated benefits and providers and
53 other studies of mandated benefits and provider issues as requested by the General
54 Assembly;

55 (5) Provide additional information and recommendations, relating to any system of
56 mandated health insurance benefits and providers, to the Governor and the General
57 Assembly, upon request; and

58 (6) Report annually on its activities to the joint standing committees of the General
59 Assembly having jurisdiction over insurance by December 1 of each year.

60 (e) Members of the advisory commission shall receive for their attendance of meetings of
61 the advisory commission the allowances authorized for legislative members of interim
62 legislative committees pursuant to Code Section 28-1-8.

63 (f)(1) Whenever legislation containing a mandated health insurance benefit or provider
64 is proposed, the standing committee of the General Assembly having jurisdiction over the
65 proposal shall request that the advisory commission prepare and forward to the Governor
66 and the General Assembly a study that assesses the social and financial impact and the
67 medical efficacy of the proposed mandate. The advisory commission shall be given a
68 period of six months, or until commencement of the next General Assembly, whichever
69 is longer, to complete and submit its assessment.

70 (2) The advisory commission shall assess the social and financial impact and the medical
71 efficacy of existing mandated benefits and providers in effect as of January 1, 2012. The
72 advisory commission shall submit a schedule of evaluations to the standing committees
73 of the General Assembly having jurisdiction over health insurance matters by May 1,
74 2012, setting forth the dates by which particular mandates shall be evaluated by the
75 advisory commission. The evaluations shall be completed and submitted to such standing
76 committees no later than December 31, 2012.

77 (g) The Department of Insurance, the Department of Labor, the Department of Community
78 Health, and such other state agencies as may be considered appropriate by the advisory
79 commission shall provide staff assistance to the advisory commission."

80 **SECTION 2.**

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