

The House Committee on Insurance offers the following substitute to SB 177:

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 that health insurance exchange plans shall specifically prohibit use of tax credits and  
3 cost-sharing reduction payments to pay for abortion services; to provide for segregation of  
4 such plans; to require independent audits; to provide for an effective date and applicability;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by  
9 adding a new chapter to read as follows:

10 "CHAPTER 65

11 33-65-1.

12 Any health insurance exchange plans established in this state pursuant to and as a result of  
13 provisions of the federal Patient Protection and Affordable Care Act (P.L. 111-148) shall  
14 specifically prohibit the use of tax credits and cost-sharing reduction payments to pay for  
15 abortion services, except in cases of rape or incest or when the life of the woman would be  
16 endangered, by any such health insurance exchange plan. Any health insurance exchange  
17 plans operating in this state shall comply with strict payment and accounting requirements  
18 to ensure that federal funds are not used for abortion services.

19 33-65-2.

20 The Commissioner shall provide that such exchange plans created to comply with the  
21 federal Patient Protection and Affordable Care Act (P.L. 111-148) shall be segregated, as  
22 required by Section 1303 of such act, by insurance companies in accordance with generally  
23 accepted accounting principles, funds management circulars of the Office of Management

24 and Budget, and accounting guidance provided by the Government Accountability Office,  
25 and by the model segregation guidelines set forth by the director of the Office of  
26 Management and Budget and the secretary of the Department of Health and Human  
27 Services. The Commissioner shall by rules and regulations authorized by this Code section  
28 provide guidelines and require strict adherence to the abortion services prohibition set forth  
29 in this chapter.

30 33-65-3.

31 The Commissioner shall require regular independent audits of insurance companies that  
32 participate in health insurance exchange plans to ensure their compliance with the  
33 requirements of this chapter and rules and regulations promulgated by the Commissioner  
34 in relation to such health insurance exchange plans."

35 **SECTION 2.**

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