

HOUSE SUBSTITUTE TO SENATE BILL 98

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,
 2 relating to insurance generally, so as to provide definitions; to prohibit coverage of certain
 3 abortions through certain qualified health plans; to provide for certain exceptions; to provide
 4 for a right of intervention in certain lawsuits; to amend Article 1 of Chapter 18 of Title 45
 5 of the Official Code of Georgia Annotated, relating to public employees' insurance and
 6 benefit plans, so as to change certain provisions relating to expenses not to be covered by the
 7 state health benefit plan; to provide for related matters; to provide an effective date; to repeal
 8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
 12 insurance generally, is amended by adding a new Code section to read as follows:

13 "33-24-59.17.

14 (a) No abortion coverage shall be provided by a qualified health plan offered within the
 15 State of Georgia through a state law, a federal law, or regulation or exchange created by
 16 the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended
 17 by the federal Health Care and Education Reconciliation Act of 2010 (Public Law
 18 111-152), and regulations or guidance issued under those acts, except in the case of
 19 medical emergency.

20 (b) For the purposes of this Code section, the term 'abortion' has the same meaning as
 21 provided in Code Section 31-9A-2.

22 (c) For the purposes of this Code section, the term 'medical emergency' has the same
 23 meaning as provided in Code Section 31-9A-2.

24 (d) Nothing in this Code section shall be construed as creating or recognizing a right to an
 25 abortion.

26 (e) It is not the intention of this Code section to make lawful an abortion that is currently
 27 unlawful."

28 **SECTION 2.**

29 Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to
 30 public employees' insurance and benefit plans, is amended by revising Code Section 45-18-4,
 31 relating to expenses not to be covered by the state health benefit plan, as follows:

32 "45-18-4.

33 The health insurance plan shall not include expenses incurred by or on account of an
 34 individual prior to the effective date of the plan; expenses for services received for injury
 35 or sickness due to war or any act of war, whether declared or undeclared, which war or act
 36 of war shall have occurred after the effective date of this plan; expenses for which the
 37 individual is not required to make payment; expenses to the extent of benefits provided
 38 under any employer group plan other than this plan in which the state participates in the
 39 cost thereof; expenses for abortion services except to the extent permitted under the state
 40 health benefit plan approved by the board as such plan existed on January 1, 2014; and
 41 such other expenses as may be excluded by regulations of the board. For purposes of this
 42 Code section, the term 'abortion' shall have the same meaning as provided in Code Section
 43 31-9A-2."

44 **SECTION 3.**

45 The General Assembly, by joint resolution, may appoint one or more of its members who
 46 sponsored or cosponsored this Act in his or her official capacity to intervene as a matter of
 47 right in any case in which the constitutionality of this Act or any portion thereof is
 48 challenged.

49 **SECTION 4.**

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

52 **SECTION 5.**

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