

Senate Bill 339

By: Senators Harrell of the 40th, Henson of the 41st, Butler of the 55th, Jones of the 10th, Seay of the 34th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public  
2 assistance, so as to provide for a Medicaid public option network to provide health care  
3 coverage to individuals not eligible for Medicare, Medicaid, or the PeachCare for Kids  
4 Program; to provide for definitions; to provide for the establishment of the Georgia Reliable  
5 Insurance Network; to provide requirements for the design of the network; to provide  
6 requirements for the administration and implementation of the program; to provide for rules  
7 and regulations; to provide for a design and actuarial study; to provide for contingent  
8 effectiveness and automatic repeal; to provide for related matters; to provide for an effective  
9 date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance,  
13 is amended by adding a new article to read as follows:

14 "ARTICLE 10  
15 Part 1

16 49-4-200.

17 As used in this article, the term:

18 (1) 'Department' means the Department of Community Health.

19 (2) 'Eligible person' means an individual who is not otherwise eligible for Medicare,  
20 Medicaid, or the PeachCare for Kids Program.

21 (3) 'Enrollee' means an eligible person who is enrolled in the Georgia Reliable Insurance  
22 Network.

23 (4) 'Georgia Reliable Insurance Network (GRIN)' or 'network' means the Medicaid  
24 public option network established pursuant to this article to provide health care coverage

25 to persons not otherwise eligible for Medicare, Medicaid, or PeachCare for Kids and  
 26 funded by premiums assessed on enrollees.

27 (5) 'Medicaid' means the program of medical assistance conducted through care  
 28 management organizations pursuant to Article 7 of this chapter, the 'Georgia Medical  
 29 Assistance Act of 1977.'

30 (6) 'Medicare' means coverage under Part A or Part B of Title 18 of the federal Social  
 31 Security Act, as amended, and the rules promulgated pursuant to such Act.

32 (7) 'PeachCare for Kids Program' means the health coverage for children conducted  
 33 pursuant to Article 13 of Chapter 5 of this title, the 'PeachCare for Kids Act.'

34 (8) 'Premium' means the monthly amount that an enrollee must pay for health care  
 35 coverage under the Georgia Reliable Insurance Network.

36 49-4-201.

37 The department shall be authorized to:

38 (1) Provide for health care coverage to persons who enroll in the Georgia Reliable  
 39 Insurance Network established pursuant to Code Section 49-4-202; and

40 (2) Make health care coverage available for purchase through the Georgia Reliable  
 41 Insurance Network.

42 49-4-202.

43 (a) The department shall establish and implement the Georgia Reliable Insurance Network.

44 Such network shall:

45 (1) Include, at a minimum:

46 (A) The same coverage provided to recipients of Medicaid; and

47 (B) Essential health benefits as provided in 42 U.S.C. Section 18022;

48 provided, however, that in no event shall this coverage include dental benefits or  
 49 nonemergency transportation;

50 (2) Enroll only eligible persons; and

51 (3) Require enrollees to pay premiums assessed by the department.

52 (b)(1) The department shall design such network in a manner that prioritizes affordability  
 53 for enrollees and provides opportunities to maximize federal dollars. The network shall:

54 (A) Provide for the establishment of flat fee premiums;

55 (B) Set the total amount of premiums that should be assessed to enrollees, after an  
 56 actuarial analysis at a level sufficient to offset reasonable administrative costs and to  
 57 ensure maximum access to coverage; and

58 (C) Establish enrollment periods that are no less extensive than those provided under  
 59 the federal 'Patient Protection and Affordable Care Act.'

60 (2) The department shall take steps to ensure that the network does not diminish the  
61 Medicaid program's long-term sustainability or negatively impact the program.

62 (c) Health care provider reimbursement rates shall be subject to available funds.

63 (d) The department shall submit any Medicaid state network amendments necessary to  
64 establish and implement the Georgia Reliable Insurance Network in a manner consistent  
65 with this article to the federal Department of Health and Human Services.

66 49-4-203.

67 The department shall:

68 (1) Administer the network through the managed care organizations under contract with  
69 the department to provide Medicaid services and benefits;

70 (2) Establish special enrollment periods for individuals, categories of enrollees, or the  
71 entire population eligible for the network;

72 (3) Implement and maintain an effective outreach campaign designed to inform  
73 Georgians of the availability of the network, including outreach to pregnant women who  
74 are Medicaid recipients that will be losing Medicaid eligibility following giving birth.

75 To this end, the department may establish an advisory board within the department to  
76 assist in developing a marketing plan and marketing budget;

77 (4) Set the medical loss ratio for insurers offering the network consistent with the ratio  
78 applicable to Medicaid;

79 (5) Establish a method for procuring prescription drugs consistent with the manner  
80 utilized for Medicaid; and

81 (6) Seek viable opportunities to reduce costs of the network to consumers; provided,  
82 however, that such opportunities are consistent with the provisions of this article, do not  
83 reduce eligibility or benefits for Medicaid enrollees, and do not jeopardize federal  
84 financing for Medicaid.

85 49-4-204.

86 The department shall be authorized to promulgate rules and regulations consistent with and  
87 necessary to carry out the provisions of this article.

88 Part 2

89 49-4-210.

90 The Department of Community Health shall complete a design and actuarial study for the  
91 establishment, implementation, and maintenance of the Georgia Reliable Insurance  
92 Network in accordance with the provisions of Part 1 of this article and submit such design

93 and actuarial study to the General Assembly no later than October 31, 2020. Part 1 of this  
94 article shall not become effective unless the General Assembly provides specific  
95 appropriations in an appropriations Act in its 2021 general session. If the General  
96 Assembly does provide such specific appropriations in its 2021 general session, Part 1 of  
97 this article shall become effective on July 1, 2021. If the General Assembly does not  
98 provide such specific appropriations in its 2021 general session, this article shall stand  
99 repealed by operation of law on June 30, 2021."

100 **SECTION 2.**

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

103 **SECTION 3.**

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