

Senate Bill 50

By: Senators Lucas of the 26th, Summers of the 13th, Goodman of the 8th, Jones II of the 22nd, Parent of the 44th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as to provide for Medicaid expansion; to provide
3 for the submission of a waiver request, necessary amendments, and other documents; to
4 provide for savings to be deposited into the Indigent Care Trust Fund; to create the Advisory
5 Commission on the PeachCare Plus Program; to provide for members and duties; to provide
6 for definitions; to provide for a short title; to provide for legislative findings; to provide for
7 related matters; to provide for legislative notification and approval; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "PeachCare Plus Act of 2025."

12

SECTION 2.

13 The General Assembly finds that:

14 (1) Expanding access to coverage for essential healthcare needs to Georgians earning up
15 to 138 percent of the federal poverty limit will improve the quality and availability of
16 healthcare services in this state;

17 (2) It is important that federal reimbursement remain at current rates to allow the State of
18 Georgia to provide such coverage;

19 (3) Providing coverage via fully subsidized commercial insurance products on the
20 Section 1332 marketplace in Georgia will give individuals more options in coverage and
21 help ensure that healthcare providers may commercially contract for services and receive
22 fair reimbursement for providing such services;

23 (4) The request for a federal waiver to provide these services should protect the fiscal
24 stability of the state, avoid tax increases, not contain matters that would diminish the
25 likelihood of approval, and be bipartisan in nature;

26 (5) Fair reimbursement rates and added flexibility to innovate in healthcare delivery will
27 help attract essential healthcare providers to Georgia; and

28 (6) The General Assembly, through the Advisory Commission on the PeachCare Plus
29 Program, should maintain an active oversight role in preparation and submission of the
30 waiver.

31

SECTION 3.

32 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
33 medical assistance generally, is amended by revising Code Section 49-4-142.2, relating to
34 expansion of Medicaid eligibility through an increase in the income threshold, as follows:

35 "49-4-142.2.

36 (a) On and after July 1, 2014, neither the department, the board, nor any other
37 representative of the state shall expand Medicaid eligibility under this article through an

38 increase in the income threshold without prior legislative approval; provided, however, that
39 this shall not apply to any increase resulting from a cost-of-living increase in the federal
40 poverty level. The legislative approval required under this Code section shall be by Act
41 of the General Assembly or the adoption of a joint resolution of the General Assembly.

42 (b) This Code section shall not apply to a waiver request along with other necessary
43 amendments for the creation of the PeachCare Plus Program pursuant to Code
44 Section 49-4-142.6 and submitted between July 1, 2025, and October 31, 2026."

45

SECTION 4.

46 Said article is further amended by adding new Code sections to read as follows:

47 "49-4-142.6.

48 (a) As used in this Code section, the term 'program' means the PeachCare Plus Program
49 that expands Medicaid eligibility as provided in this Code section.

50 (b) On or before October 31, 2026, in consultation with the office of the Commissioner of
51 Insurance, the department shall submit to the United States Department of Health and
52 Human Services Centers for Medicare and Medicaid Services pursuant to Section 1115 of
53 the federal Social Security Act a waiver request along with other necessary amendments
54 for the creation of the PeachCare Plus Program. The waiver request shall provide for:

55 (1) The enrollment of certain low-income individuals making less than 138 percent of
56 the federal poverty level in the eligibility category created by
57 Section 1902(a)(10)(A)(i)(VIII) of the federal Social Security Act, 42 U.S.C.
58 Section 1396a, into qualified healthcare plans offered on the state marketplace established
59 under Section 1332 of the federal Patient Protection and Affordable Care Act or the
60 federal marketplace, as applicable at implementation; and

61 (2) The full payment of any premiums or other direct costs associated with enrolling in
62 qualified healthcare plans for certain individuals making less than 138 percent of the
63 federal poverty level.

64 (c) The provisions of this Code section shall only apply so long as the federal medical
65 assistance percentage for this state established pursuant to 42 U.S.C. Section 1396d
66 remains at or above 90 percent.

67 (d) All savings to the state as a result of the implementation of the program shall be
68 deposited into the Indigent Care Trust Fund created pursuant to Code Section 31-8-152 and
69 shall be used for any additional costs and expenses associated with the implementation of
70 the program.

71 (e) The program shall be administered by the department; provided, however, that the
72 department may consult the Advisory Commission on the PeachCare Plus Program and
73 other state agencies, including, but not limited to, the office of the Commissioner of
74 Insurance.

75 (f) The waiver provided for in this Code section shall take effect upon the expiration of the
76 current waiver or any extension of such waiver granted prior to December 31, 2025.

77 49-4-142.7.

78 (a) As used in this Code section, the term 'commission' means the Advisory Commission
79 on the PeachCare Plus Program.

80 (b) There is created the Advisory Commission on the PeachCare Plus Program. The
81 commission shall advise the department in drafting and submitting the waiver request and
82 implementing the PeachCare Plus Program as provided for in Code Section 49-4-142.6.

83 (c) The commission shall consist of 11 members, as follows:

84 (1) The commissioner or his or her designee, who shall also serve as chairperson;

85 (2) Five members of the House of Representatives to be appointed by the Speaker of the
86 House of Representatives, provided that three members shall be from the majority party
87 and two shall be from the minority party; and

- 88 (3) Five members of the Senate to be appointed by the President of the Senate, provided
89 that three members shall be from the majority party and two shall be from the minority
90 party.
- 91 (d) Vacancies in the commission shall be filled in the same manner as the initial
92 appointments.
- 93 (e) The commission shall:
- 94 (1) Consult with the department during preparation of the waiver request authorized by
95 Code Section 49-4-142.6 and review such waiver request prior to submission;
- 96 (2) Seek to make all recommendations in a bipartisan manner, with the chairperson only
97 voting on any recommendation in the event of a tie;
- 98 (3) Issue a public report no fewer than 30 days after submission of the waiver request
99 that shall provide recommendations for the implementation and success of the program
100 authorized by the waiver; and
- 101 (4) Remain in place on an ongoing basis, with members serving at the pleasure of the
102 state official appointing them, to advise the department on the implementation of the
103 PeachCare Plus Program and related matters.
- 104 (f) The commission may conduct such meetings at such places and at such times as it may
105 deem necessary or convenient to enable it to exercise fully and effectively its powers,
106 perform its duties, and accomplish the objectives and purposes of this Code section. The
107 commission shall meet upon the call of the chairperson and shall meet at least once
108 quarterly.
- 109 (g) The legislative members of the commission shall receive the allowances provided for
110 in Code Section 28-1-8. The commissioner or his or her designee shall receive no
111 compensation for his or her services on the commission, but he or she shall be reimbursed
112 for expenses incurred in the performance of his or her duties as a member of the
113 commission in the same manner as he or she is reimbursed for expenses in his or her
114 capacity as a state official. The funds necessary for the reimbursement of the expenses of

115 the state official shall come from funds appropriated to or otherwise available to the
116 department. All other funds necessary to carry out the provisions of this Code section shall
117 come from funds appropriated to the House of Representatives and the Senate."

118

SECTION 5.

119 This Act shall be considered legislative notification for purposes of Code Section 49-4-142.1
120 and legislative approval for purposes of Code Section 49-4-142.2.

121

SECTION 6.

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