

House Bill 197

By: Representatives Hawkins of the 27<sup>th</sup>, Newton of the 127<sup>th</sup>, Kelley of the 16<sup>th</sup>, Silcox of the 53<sup>rd</sup>, Cooper of the 45<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-46-6 of the Official Code of Georgia Annotated, relating to  
2 requirements for certification, utilization of nationally recognized accreditation standards,  
3 and website identifying nationally recognized accreditation entities, so as to detail the effort  
4 that shall be made by treating health care provider to respond to a private review agent or  
5 utility review entity's attempt to reach such provider to discuss the patient's care; to provide  
6 for related matters; to provide for an effective date and applicability; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 33-46-6 of the Official Code of Georgia Annotated, relating to requirements  
11 for certification, utilization of nationally recognized accreditation standards, and website  
12 identifying nationally recognized accreditation entities, is amended by revising paragraph (5)  
13 of subsection (a) as follows:

14 "(5) In any instances where the private review agent or utilization review entity is  
15 questioning the medical necessity of care, the treating health care provider, or such  
16 provider's appropriately qualified designee, shall be able to discuss the plan of treatment

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17 with a clinical peer trained in a related specialty and no adverse determination shall be  
18 made by the private review agent or utilization review entity until an effort has been  
19 made to discuss the patient's care with the patient's treating provider, or such provider's  
20 appropriately qualified designee who shall be familiar with the patient's case, during  
21 normal working hours. Such effort shall include contacting the treating provider or his  
22 or her designee, implementing a callback telecommunications system, or the use of a  
23 public website whereby such provider or designee may elect to receive a scheduled  
24 communication at a later time in the event that a clinical peer is not available. In the  
25 event of an adverse determination, notice to the provider will specify the reasons for the  
26 review determination;"

27 **SECTION 2.**

28 This Act shall become effective on January 1, 2026, and shall apply to all health benefit plans  
29 issued, delivered, issued for delivery, or renewed in this state on or after such date.

30 **SECTION 3.**

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