

House Bill 258

By: Representatives Buckner of the 137<sup>th</sup>, Holcomb of the 101<sup>st</sup>, Hugley of the 141<sup>st</sup>, Mitchell of the 88<sup>th</sup>, Bennett of the 94<sup>th</sup>, 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 establish the PeachCare for Adults Program; to provide for a short title;  
3 to provide for definitions; to provide for submission of federal waiver requests; to provide  
4 for requirements; to provide for providers; to provide for administration of the program; to  
5 provide for rules and regulations; to provide for related matters; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

11 "ARTICLE 10

12 49-4-200.

13 This article shall be known and may be cited as the 'PeachCare for Adults Act.'

14 49-4-201.

15 As used in this article, the term:

16 (1) 'Board' means the Board of Community Health.

17 (2) 'Department' means the Department of Community Health.

18 (3) 'Eligible person' means an individual between and including the ages of 18 and 64  
19 years who has income less than or equal to 133 percent of the federal poverty level and  
20 who is not enrolled in Medicaid.

21 (4) 'Enrolled person' means an eligible person who is enrolled in the PeachCare for  
22 Adults Program.

23 (5) 'Medicaid' means the program of medical assistance conducted pursuant to Article 7  
24 of this chapter, the 'Georgia Medical Assistance Act of 1977.'

25 (6) 'PeachCare for Adults Program' or 'program' means the program for health coverage  
26 established pursuant to this article.

27 49-4-202.

28 (a) In order to implement the PeachCare for Adults Program pursuant to this article, the  
29 board shall submit any waiver request to the Centers for Medicare and Medicaid Services  
30 of the United States Department of Health and Human Services pursuant to Section 1115  
31 of the federal Social Security Act necessary to add coverage for adults between and  
32 including the ages of 18 and 64 years with incomes less than or equal to 133 percent of the  
33 federal poverty level.

34 (b) The board shall take all necessary steps to secure the enhanced federal match available  
35 under the applicable provisions of Section 2001 of the federal Patient Protection and  
36 Affordable Care Act (P.L. 111-148).

37 (c) The board shall submit all necessary waiver requests pursuant to this Code section no  
38 later than January 1, 2026.

39 49-4-203.

40 (a) The department shall establish the PeachCare for Adults Program. Such program shall  
41 be implemented no later than January 1, 2027.

42 (b) The program shall include, at a minimum:

43 (1) The same coverage provided to recipients of Medicaid, including, but not limited to,  
44 the essential health benefits as provided in 42 U.S.C. Section 18022;

45 (2) Any healthcare benefits specified in the federal Patient Protection and Affordable  
46 Care Act (P.L. 111-148) with respect to health insurance coverage or health insurance  
47 products;

48 (3) Coverage for all vaccinations recommended for children and for adults by the  
49 Advisory Committee on Immunization Practices of the federal Centers for Disease  
50 Control and Prevention; and

51 (4) Coverage for the treatment of mental health and substance use disorders at least as  
52 extensive as that provided for the treatment of physical illnesses.

53 (c) Only eligible persons may enroll in the program.

54 (d) The program shall include an affordability scale for premium based on income:

55 (1) For an enrolled person with an income greater than 100 percent of the federal poverty  
56 level, the premium shall be the amount of premium for an enrolled person with an  
57 equivalent income to enroll in the second-lowest cost silver-level plan offered in the  
58 state's health insurance marketplace or 2 percent of an enrolled person's gross income,  
59 whichever is lesser; and

60 (2) An enrolled person with an income less than or equal to 100 percent of the federal  
61 poverty level shall not be charged a premium.

62 (e) Enrollment in the program shall not be contingent on work requirements.

63 (f) The department shall publish in print or electronically an annual report, a copy of which  
64 shall be provided to the Governor, setting forth the number of enrolled persons in the  
65 program, the health services provided, the amount of money paid to providers, and other

66 pertinent information with respect to the administration of the program. The department  
67 shall not be required to distribute copies of the annual report to the members of the General  
68 Assembly but shall notify such members of the availability of the report in the manner  
69 which it deems to be most effective and efficient.

70 49-4-204.

71 (a) Any healthcare provider that is a Medicaid provider shall be deemed to be a provider  
72 in the program.

73 (b) Healthcare provider reimbursement rates shall be based on the Medicaid fee schedule.  
74 Contingent upon available funds, the department may increase reimbursement rates for  
75 healthcare providers.

76 (c) The department, through the Department of Administrative Services or any other  
77 appropriate entity, may contract for any or all of the following: the collection of premiums,  
78 processing of applications, verification of eligibility, outreach, data services, and  
79 evaluation, provided that such contracting achieves administrative or service cost  
80 efficiency. The department, and other state agencies, as appropriate, shall provide  
81 necessary information to any entity which has contracted with the department for services  
82 related to the administration of the program upon request.

83 (d) All state agencies shall cooperate with the department and its designated agents by  
84 providing requested information to assist in the administration of the program.

85 (e) As necessary to enforce the provisions of this article, the department or its duly  
86 authorized agents may submit to the state revenue commissioner the names of applicants  
87 for healthcare benefits or payments provided under this article, as well as the relevant  
88 income threshold specified therein. If the department elects to contract with the state  
89 revenue commissioner for such purposes, the state revenue commissioner or his or her  
90 agents or employees shall notify the department of whether or not each submitted  
91 applicant's income exceeds the relevant income threshold provided. The department shall

92 pay the state revenue commissioner for all costs incurred by the Department of Revenue  
93 pursuant to this subsection. No information shall be provided by the Department of  
94 Revenue to the department without an executed cooperative agreement between such  
95 departments. Any tax information secured from the federal government by the Department  
96 of Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code  
97 shall not be disclosed by the Department of Revenue pursuant to this subsection. Any  
98 person receiving any tax information under the authority of this subsection is subject to the  
99 provisions of Code Section 48-7-60 and to all penalties provided under Code Section  
100 48-7-61 for unlawful divulging of confidential tax information.

101 49-4-205.

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

104 **SECTION 2.**

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