

Senate Bill 5

By: Senators Kirkpatrick of the 32nd, Walker III of the 20th, Watson of the 1st, Hufstetler of the 52nd, Harbison of the 15th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 46 of Title 33 of the Official Code of Georgia Annotated, relating to
2 certification of private review agents, so as to provide for health insurers to implement and
3 maintain a program that allows for the selective application of reductions in prior
4 authorization requirements under certain circumstances; to provide for an annual filing; to
5 provide for the promulgation of rules and regulations; to provide for related matters; to
6 provide for an effective date and applicability; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 46 of Title 33 of the Official Code of Georgia Annotated, relating to certification of
11 private review agents, is amended by adding a new Code section to read as follows:

12 "33-46-20.1.

13 (a) Each insurer that utilizes prior authorization requirements shall implement and
14 maintain a program that allows for the selective application of reductions in prior
15 authorization requirements based on the stratification of healthcare providers' performance
16 and adherence to evidence based medicine. Such program shall promote quality.

17 affordable healthcare and reduce unnecessary administrative burdens for both the insurer
18 and the healthcare provider.

19 (b) Criteria for participation by healthcare providers and the healthcare services included
20 in the program shall be at the discretion of the insurer; provided, however, that such insurer
21 shall submit to the department a filing concerning such program. Such filing shall include
22 a full narrative description of the program, the criteria for participation in the program, a
23 list of the procedures and services subject to the program, the number of healthcare
24 providers participating in the program, and any other information deemed necessary by the
25 department.

26 (c) No later than July 1, 2026, each insurer that utilizes prior authorization requirements
27 shall make the filing provided for in subsection (b) of this Code section, and such filing
28 shall be submitted annually in a form and manner provided for by rules and regulations
29 promulgated by the Commissioner."

30 **SECTION 2.**

31 This Act shall become effective on January 1, 2026, and shall apply to all policies or
32 contracts issued, delivered, issued for delivery, or renewed in this state on or after such date.

33 **SECTION 3.**

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