

Senate Bill 360

By: Senators Harrell of the 40th, Esteves of the 35th, McLaurin of the 14th, Jackson of the 41st, Parent of the 44th 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 public option buy-in program to provide healthcare
3 coverage to individuals not eligible for Medicaid coverage or enrollment through a health
4 exchange; to provide for definitions; to provide requirements for the program; to provide for
5 any necessary state plan amendments or waivers; to provide for rules and regulations; to
6 provide for related matters; to repeal conflicting laws; 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

13 49-4-200.

14 As used in this article, the term:

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

16 (2) 'Eligible person' means:

17 (A) An individual who is not otherwise eligible to be a recipient under Medicaid or to
18 obtain healthcare coverage through an exchange; or

19 (B) An individual who is not otherwise eligible to be a recipient under Medicaid, if
20 subsidies under the federal Patient Protection and Affordable Care Act and extended
21 tax credits are not funded by Congress.

22 (3) 'Exchange' means a state, federal, or partnership exchange or marketplace operating
23 in Georgia pursuant to Section 1311 of the federal Patient Protection and Affordable Care
24 Act.

25 (4) 'Medicaid' means the program of medical assistance provided through care
26 management organizations pursuant to Article 7 of this chapter, the 'Georgia Medical
27 Assistance Act of 1977.' Such term also includes the health coverage for children
28 provided pursuant to Article 13 of Chapter 5 of this title, the 'PeachCare for Kids Act.'

29 (5) 'Public Option Buy-In Program' or 'program' means the program established pursuant
30 to this article to provide healthcare coverage to eligible persons.

31 49-4-201.

32 (a) The department shall establish and implement the Public Option Buy-In Program. The
33 program shall meet at least the same standards and provide at least the same benefits and
34 levels of coverage as provided by care management organizations under Medicaid.

35 (b) The program shall be available to eligible persons who reside in this state for a cost
36 equal to the amount that the state pays per capita to care management organizations for
37 Medicaid.

38 49-4-202.

39 (a) Whenever the department enters into a competitive bidding process, including, without
40 limitation, a request for proposals, to solicit and enter into contracts with care management

41 organizations to provide Medicaid services, it shall require any and all bidders to also bid
42 on the provision of healthcare services for the Public Option Buy-In Program.

43 (b) When selecting one or more care management organizations to administer the program,
44 the department shall prioritize applicants whose proposals demonstrate alignment of
45 networks of providers between the program and Medicaid, where applicable.

46 49-4-203.

47 The department shall submit any Medicaid state plan amendment or waiver requests
48 necessary to implement the provisions of this article to the United States Department of
49 Health and Human Services.

50 49-4-204.

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

53 **SECTION 2.**

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