

Senate Bill 379

By: Senators McLaurin of the 14th, Parkes of the 7th, Jones II of the 22nd, Jackson of the 41st, Parent of the 44th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to require the Department of Insurance to implement a certain
3 insurance affordability program in response to the recent expiration of certain Patient
4 Protection and Affordable Care Act tax credits; to provide for definitions; to provide for
5 automatic repeal; to provide for related matters; to provide for a short title; to provide for
6 legislative findings; to provide for an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Georgia Health Insurance Affordability
11 and Consumer Protection Act."

12 **SECTION 2.**

13 The General Assembly finds and declares that:

14 (1) The enhanced premium tax credits (ePTCs) under the federal Patient Protection and
15 Affordable Care Act, also known as the "ACA," significantly increased the affordability

16 of health insurance for low- and middle-income Georgians, reducing the state's uninsured
17 rate;

18 (2) Due to Congressional inaction, the ePTCs expired on December 31, 2025, and
19 thousands of Georgians, particularly those earning under 250 percent of the federal poverty
20 level, are experiencing drastic premium increases, making health insurance unaffordable
21 and increasing the number of uninsured individuals;

22 (3) The expiration of these tax credits has disproportionately harmed rural communities,
23 small business owners, gig workers, and historically marginalized populations;

24 (4) Several states, including New Mexico, Colorado, and Washington, have implemented
25 state based affordability programs to provide premium and cost-sharing assistance to
26 mitigate rising health insurance costs;

27 (5) Georgia must act swiftly to prevent a more extensive gap in affordability and ensure
28 access to affordable health insurance for its residents; and

29 (6) The purpose of this Act is to direct the Georgia Department of Insurance to establish
30 a program within statutory requirements established by law to lessen the impact of the
31 ePTCs' expiration, ensuring Georgians continue to have access to affordable, high quality
32 health coverage.

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SECTION 3.

34 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
35 generally, is amended by adding a new Code section to read as follows:

36 "33-24-59.37.

37 (a) As used in this Code section, the term:

38 (1) 'Affordability program' means the program administered by the department to reduce
39 the cost of health insurance for Georgians through premium assistance, cost-sharing
40 reductions, reinsurance, or other financial mechanisms.

41 (2) 'Cost-sharing reductions' means state or federal subsidies that lower out-of-pocket
42 costs, such as deductibles and copayments, for eligible individuals.

43 (3) 'Federal poverty level' means the income thresholds updated annually by the United
44 States Department of Health and Human Services.

45 (4) 'Georgia Access' means the state based health insurance marketplace established
46 under the federal Patient Protection and Affordable Care Act.

47 (5) 'Plan' means a health insurance plan certified to be offered through Georgia Access.

48 (b) The department shall develop an affordability program by September 30, 2026, which
49 shall include:

50 (1) State premium subsidies to replace or supplement federal premium tax credits for
51 enrollees earning up to 400 percent of the federal poverty level;

52 (2) Other cost-sharing reductions for individuals earning below 250 percent of the
53 federal poverty level which may include lower deductibles, copayments, and other
54 out-of-pocket expenses; and

55 (3) A state funded plan for individuals earning below 200 percent of the federal poverty
56 level that does not require the payment of any premiums.

57 (c) The department shall convene a stakeholder working group by August 1, 2026,
58 consisting of consumer advocates, health insurers, healthcare providers, and employers to
59 develop a consumer centered approach to the affordability program.

60 (d) The department shall submit the stakeholder working group's plan for the affordability
61 program to the Governor and General Assembly by September 30, 2026. Such submission
62 shall include recommendations for additional ways to reduce the cost of health insurance.

63 (e) The department shall promulgate rules and regulations for implementation of the
64 affordability program by December 1, 2026.

65 (f) The department, in coordination with the Office of Planning and Budget, shall conduct
66 a fiscal impact analysis by August 1, 2026, and identify sustainable funding mechanisms
67 for the affordability program, including appropriations by the General Assembly and

68 charges on health insurers offering plans on Georgia Access. The results of such analysis
69 shall be contained in a report, along with the financial structure and projected impact of the
70 affordability program, which shall be submitted to the Governor and General Assembly by
71 September 1, 2026.

72 (g) Beginning on January 1, 2028, the department shall provide annual reports to the
73 General Assembly detailing:

74 (1) The number of Georgians receiving assistance through the affordability program;

75 (2) The impact of the affordability program, enrollment rates, and health outcomes; and

76 (3) Any recommended changes or expansions to such program.

77 (h) The department shall implement consumer education and outreach initiatives to ensure
78 eligible Georgians are aware of and can access the affordability program.

79 (i) The department shall conduct a comprehensive evaluation in 2030 to assess the
80 program's impact and determine the need for continuation or adjustments. The results of
81 such evaluation shall be submitted to the Governor and General Assembly in a report by
82 January 1, 2031.

83 (j) The affordability program shall only become effective on January 1, 2027, in the event
84 that the Congress and President of the United States have failed to reestablish the enhanced
85 premium tax credits as they existed under the federal Patient Protection and Affordable
86 Care Act but expired on December 31, 2025. In the event that the affordability program
87 does not become effective, none of the reports required in this Code section shall be
88 applicable.

89 (k) This Code section shall stand repealed on December 31, 2031."

90 **SECTION 4.**

91 This Act shall become effective upon its approval by the Governor or upon its becoming law
92 without such approval.

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SECTION 5.

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