

House Bill 1122

By: Representatives Douglas of the 78th, Newton of the 127th, Hugley of the 141st, Hawkins of the 27th, and Howard of the 129th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding insurance generally, so as to require peripheral artery
3 disease screening tests for enrollees enrolled in group or individual accident and sickness
4 insurance plans; to provide for definitions; to amend Chapter 80 of Title 36 of the Official
5 Code of Georgia Annotated, relating to general provisions applicable to counties and
6 municipal corporations, so as to require counties and municipal corporations that obtain
7 health insurance for employees to offer such employees group or individual accident and
8 sickness insurance plans that provide coverage for peripheral artery disease screening tests
9 for certain employees; to provide for exceptions; to amend Chapter 18 of Title 45 of the
10 Official Code of Georgia Annotated, relating to employees' insurance and benefits plans, so
11 as to require certain benefits for peripheral artery disease screening tests; to amend Article
12 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical
13 assistance generally, so as to require certain peripheral artery disease screening tests; to
14 provide for a plan amendment when necessary; to provide for legislative findings; to provide
15 for definitions; to provide for related matters; to provide for an effective date and
16 applicability; to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 1122

- 1 -

SECTION 1.

18

19 The General Assembly finds that:

20 (1) Atherosclerosis occurs when blood flow is reduced because arteries become
21 narrowed or blocked with fatty deposits;22 (2) Atherosclerosis is responsible for more deaths in the United States than any other
23 condition, and heart attacks resulting from clogged coronary arteries are the leading cause
24 of death in America;25 (3) Atherosclerosis also occurs in the legs and is known as peripheral artery disease
26 (PAD), and having PAD significantly increases the risk for heart attack, stroke,
27 amputation, and death;28 (4) While most Americans are aware of atherosclerosis in the heart, many Americans
29 have never heard of PAD, and Americans with PAD are often unaware of the serious
30 risks of the disease;31 (5) An estimated 21 million Americans have PAD, and about 200,000 of them, who are
32 disproportionately minorities, suffer avoidable amputations every year as a result of such
33 disease;34 (6) Screening and arterial testing for PAD is cost effective and should be part of routine
35 medical care; and36 (7) Once PAD is detected, amputations and deaths can be reduced through the use of
37 national, evidence based PAD care guidelines.**SECTION 2.**

38

39 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
40 general provisions regarding insurance generally, is amended by adding a new Code section
41 to read as follows:42 "33-24-59.37.43 (a) As used in this Code section, the term:

44 (1) 'Accident and sickness insurance' means insurance against bodily injury, disablement,
45 or death by accident or accidental means, or the expense thereof, or against disablement
46 or expense resulting from sickness and every insurance appertaining thereto.

47 (2) 'At-risk individual' means an individual who:

48 (A) Is 65 years of age or older;

49 (B) Is at least 50 years of age but not older than 64 years of age with risk factors for
50 atherosclerosis, such as diabetes mellitus, a history of smoking, hyperlipidemia,
51 hypertension, or a family history of peripheral artery disease;

52 (C) Is younger than 50 years of age with diabetes mellitus and one additional risk
53 factor as provided in subparagraph (B) of this paragraph for atherosclerosis; or

54 (D) Has a known atherosclerotic disease in another vascular bed, such as coronary,
55 carotid, subclavian, renal, or mesenteric artery stenosis, or abdominal aortic aneurysm.

56 (3) 'Peripheral artery disease screening test' means:

57 (A) Noninvasive physiologic studies of extremity arteries, commonly referred to as
58 ankle-brachial index testing; or

59 (B) Ankle plethysmographic pulse volume recordings and Doppler waveforms.

60 (b) A group or individual plan of accident and sickness insurance or managed care plan
61 amended, delivered, issued, or renewed on or after January 1, 2027, shall provide coverage,
62 no less than once every 12 months, for a peripheral artery disease screening test for any
63 at-risk individual.

64 (c) The benefits provided in this Code section shall be subject to the same deductibles,
65 coinsurance, copayment provisions, and other limitations established for all covered
66 benefits within such plan. Special deductibles, coinsurance, copayment, and other
67 limitations that are not generally applicable to other benefits shall not be applicable to the
68 benefits described in this Code section.

69 (d) This Code section shall not be applicable to self-funded, employer sponsored health
70 insurance plans subject to the exclusive jurisdiction of the federal Employee Retirement
71 Income Security Act of 1974, 29 U.S.C. Section 1001, et seq., as amended."

72 **SECTION 3.**

73 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
74 provisions applicable to counties and municipal corporations, is amended by adding a new
75 Code section to read as follows:

76 "36-80-32.

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

78 (1) 'Accident and sickness insurance' means insurance against bodily injury, disablement,
79 or death by accident or accidental means, or the expense thereof, or against disablement
80 or expense resulting from sickness and every insurance appertaining thereto.

81 (2) 'At-risk individual' means an individual who:

82 (A) Is 65 years of age or older;

83 (B) Is at least 50 years of age but not older than 64 years of age with risk factors for
84 atherosclerosis, such as diabetes mellitus, a history of smoking, hyperlipidemia,
85 hypertension, or a family history of peripheral artery disease;

86 (C) Is younger than 50 years of age with diabetes mellitus and one additional risk
87 factor as provided in subparagraph (B) of this paragraph for atherosclerosis; or

88 (D) Has a known atherosclerotic disease in another vascular bed, such as coronary,
89 carotid, subclavian, renal, or mesenteric artery stenosis, or abdominal aortic aneurysm.

90 (3) 'Peripheral artery disease screening test' means:

91 (A) Noninvasive physiologic studies of extremity arteries, commonly referred to as
92 ankle-brachial index testing; or

93 (B) Ankle plethysmographic pulse volume recordings and Doppler waveforms.

- 94 (b) A group or individual plan of accident and sickness insurance or managed care plan
 95 amended, delivered, issued, or renewed on or after January 1, 2027, shall provide coverage,
 96 no less than once every 12 months, for a peripheral artery disease screening test for any
 97 at-risk individual.
- 98 (c) All counties and municipal corporations in this state that obtain health insurance for
 99 employees shall offer such employees group or individual accident and sickness insurance
 100 plans that provide benefits for such employee which shall include coverage, no less than
 101 once every 12 months, for a peripheral artery disease screening test for at-risk individuals.
- 102 (d) The benefits provided in this Code section shall be subject to the same deductibles,
 103 coinsurance, copayment provisions, and other limitations established for all covered
 104 benefits within such plan. Special deductibles, coinsurance, copayment, and other
 105 limitations that are not generally applicable to other benefits shall not be applicable to the
 106 benefits described in this Code section.
- 107 (e) This Code section shall not be applicable to self-funded, employer sponsored health
 108 insurance plans subject to the exclusive jurisdiction of the federal Employee Retirement
 109 Income Security Act of 1974, 29 U.S.C. Section 1001, et seq., as amended."

110 **SECTION 4.**

111 Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to employees'
 112 insurance and benefits plans, is amended by adding a new Code section to read as follows:
 113 "45-18-4.3.

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

115 (1) 'At-risk individual' means an individual who:

116 (A) Is 65 years of age or older;

117 (B) Is at least 50 years of age but not older than 64 years of age with risk factors for
 118 atherosclerosis, such as diabetes mellitus, a history of smoking, hyperlipidemia, or
 119 hypertension, or a family history of peripheral artery disease;

- 120 (C) Is younger than 50 years of age with diabetes mellitus and one additional risk
121 factor as provided in subparagraph (B) of this paragraph for atherosclerosis; or
122 (D) Has a known atherosclerotic disease in another vascular bed, such as coronary,
123 carotid, subclavian, renal, or mesenteric artery stenosis, or abdominal aortic aneurysm.
- 124 (2) 'Peripheral artery disease screening test' means:
- 125 (A) Noninvasive physiologic studies of extremity arteries, commonly referred to as
126 ankle-brachial index testing; or
- 127 (B) Ankle plethysmographic pulse volume recordings and Doppler waveforms.
- 128 (b) The health insurance plan established pursuant to this article shall provide benefits for
129 an enrollee which shall include coverage, no less than once every 12 months, for a
130 peripheral artery disease screening test for at-risk individuals.
- 131 (c) The benefits provided in this Code section shall be subject to the same deductibles,
132 coinsurance, copayment provisions, and other limitations established for all covered
133 benefits within such plan. Special deductibles, coinsurance, copayment, and other
134 limitations that are not generally applicable to other benefits shall not be applicable to the
135 benefits described in this Code section."

136 **SECTION 5.**

137 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
138 medical assistance generally, is amended by adding a new Code section to read as follows:

139 "49-4-159.5.

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

141 (1) 'At-risk individual' means an individual who:

142 (A) Is 65 years of age or older;

143 (B) Is at least 50 years of age but not older than 64 years of age with risk factors for
144 atherosclerosis, such as diabetes mellitus, a history of smoking, hyperlipidemia, or
145 hypertension, or a family history of peripheral artery disease;

- 146 (C) Is younger than 50 years of age with diabetes mellitus and one additional risk
147 factor as provided in subparagraph (B) of this paragraph for atherosclerosis; or
148 (D) Has a known atherosclerotic disease in another vascular bed, such as coronary,
149 carotid, subclavian, renal, or mesenteric artery stenosis, or abdominal aortic aneurysm.
150 (2) 'Peripheral artery disease screening test' means:
151 (A) Noninvasive physiologic studies of extremity arteries, commonly referred to as
152 ankle-brachial index testing; or
153 (B) Ankle plethysmographic pulse volume recordings and Doppler waveforms.
154 (b) The department shall provide Medicaid recipients with peripheral artery disease
155 screening tests for at-risk individuals no less than once every 12 months.
156 (c) To implement the provisions of this Code section, the department shall, when
157 necessary, submit a Medicaid state plan amendment or waiver request to the United States
158 Department of Health and Human Services."

159 **SECTION 6.**

160 This Act shall become effective on January 1, 2027, and shall apply to the state health benefit
161 plan, the state Medicaid plan, and all group or individual accident and sickness policies or
162 contracts issued, delivered, issued for delivery, or renewed in this state on or after such date.

163 **SECTION 7.**

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