

Senate Bill 444

By: Senators Kirkpatrick of the 32nd, Watson of the 1st, Hodges of the 3rd, Harbison of the 15th and Walker III of the 20th

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 that certain decisions with regard to
3 the provision of insurance coverage for healthcare services shall not be based solely on
4 artificial intelligence systems, artificial intelligence, or other software tools; to provide for
5 definitions; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

11 "33-46-7.1.

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

13 (1) 'Artificial intelligence' means a machine based system that can, for a given set of
14 human defined objectives, make predictions, recommendations, or decisions influencing
15 real or virtual environments.

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16 (2) 'Artificial intelligence system' means any data system, software, hardware,
17 application, tool, or utility that operates in whole or in part using artificial intelligence.
18 (b) Private review agents and utilization review entities may use Artificial intelligence
19 systems, artificial intelligence, or other software tools, provided that such systems or tools
20 are a part of a utilization review plan that is in accordance with the standards set forth in
21 this chapter and the rules and regulations adopted by the Commissioner.
22 (c) Artificial intelligence systems, artificial intelligence, and other software tools may be
23 used to automate tasks, reduce administrative burdens, participate in decision-making
24 processes, and perform other lawful functions; provided, however, that such systems and
25 tools shall not be the sole basis of a private review agent's or utilization review entity's
26 adverse determination and shall not supersede the judgment of the clinical peer."

27 **SECTION 2.**

28 This Act shall become effective on January 1, 2027.

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.