

ADOPTED

Senator Jackson of the 41st offered the following amendment #1:

1 *Amend SB 440 (LC 60 9004) by replacing line 28 with the following:*

2 the Department of Public Health; to make conforming changes; to provide for Medicaid
3 expansion; to provide for related

4 *By inserting before line 620 the following:*

5 Said title is further amended in Article 7, relating to medical assistance generally, by revising
6 Code Section 49-4-142.2, relating to expansion of Medicaid eligibility through an increase
7 in the income threshold, as follows:

8 "49-4-142.2.

9 (a) On and after July 1, 2014, neither the department, the board, nor any other
10 representative of the state shall expand Medicaid eligibility under this article through an
11 increase in the income threshold without prior legislative approval; provided, however, that
12 this shall not apply to any increase resulting from a cost-of-living increase in the federal
13 poverty level. The legislative approval required under this Code section shall be by Act
14 of the General Assembly or the adoption of a joint resolution of the General Assembly.

15 (b) This Code section shall not apply to a waiver request along with other necessary
16 amendments for the creation of the PeachCare Plus Program pursuant to Code
17 Section 49-4-142.6 and submitted between July 1, 2026, and October 31, 2027."

18 **SECTION 24.**

19 Said title is further amended in said article by adding a new Code section to read as follows:

20 "49-4-142.6.

21 (a) As used in this Code section, the term 'program' means the PeachCare Plus Program
22 that expands Medicaid eligibility as provided in this Code section.

23 (b) On or before October 31, 2027, in consultation with the office of the Commissioner of
24 Insurance, the department shall submit to the United States Department of Health and
25 Human Services Centers for Medicare and Medicaid Services pursuant to Section 1115 of
26 the federal Social Security Act a waiver request along with other necessary amendments
27 for the creation of the PeachCare Plus Program. The waiver request shall provide for:

28 (1) The enrollment of certain low-income individuals making less than 138 percent of
29 the federal poverty level in the eligibility category created by
30 Section 1902(a)(10)(A)(i)(VIII) of the federal Social Security Act, 42 U.S.C.
31 Section 1396a, into qualified healthcare plans offered on the state marketplace established
32 under Section 1332 of the federal Patient Protection and Affordable Care Act or the
33 federal marketplace, as applicable at implementation; and

34 (2) The full payment of any premiums or other direct costs associated with enrolling in
35 qualified healthcare plans for certain individuals making less than 138 percent of the
36 federal poverty level.

37 (c) The provisions of this Code section shall only apply so long as the federal medical
38 assistance percentage for this state established pursuant to 42 U.S.C. Section 1396d
39 remains at or above 90 percent.

40 (d) All savings to the state as a result of the implementation of the program shall be
41 deposited into the Indigent Care Trust Fund created pursuant to Code Section 31-8-152 and
42 shall be used for any additional costs and expenses associated with the implementation of
43 the program.

44 (e) The program shall be administered by the department; provided, however, that the
45 department may consult other state agencies, including, but not limited to, the office of the
46 Commissioner of Insurance.

47 (f) The waiver provided for in this Code section shall take effect upon the expiration of the
48 current waiver or any extension of such waiver granted prior to December 31, 2026."

49 **SECTION 25.**

50 Sections 23 and 24 of this Act shall be considered legislative notification for purposes of
51 Code Section 49-4-142.1 and legislative approval for purposes of Code Section 49-4-142.2.

52 **SECTION 26.**