

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

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.

16 (2) 'Artificial intelligence system' means an engineered or machine based system that
17 emulates the capability of a person to receive audio, visual, text, or any other form of
18 information and use such information to emulate a human cognitive process, including,
19 but not limited to, learning, generalizing, reasoning, planning, predicting, acting, or
20 communicating; provided, however, that artificial intelligence systems may vary in the
21 forms of information they can receive and in the human cognitive processes they can
22 emulate.

23 (b) Private review agents and utilization review entities may use artificial intelligence
24 systems, artificial intelligence, or other software tools, provided that such systems or tools
25 are a part of a utilization review plan that is in accordance with the standards set forth in
26 this chapter and the rules and regulations adopted by the Commissioner.

27 (c) Artificial intelligence systems, artificial intelligence, and other software tools may be
28 used to automate tasks, reduce administrative burdens, participate in decision-making
29 processes, and perform other lawful functions; provided, however, that such systems shall
30 not issue an adverse determination to a patient until a natural person qualifying as a private
31 review agent or a utilization review entity conducts a utilization review in which a clinical
32 peer participates. In no event shall artificial intelligence systems, artificial intelligence, or
33 other software tools supersede the judgment of such clinical peer."

34 **SECTION 2.**

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

36 **SECTION 3.**

37 All laws and parts of laws in conflict with this Act are repealed.