

House Bill 1081

By: Representatives Taylor of the 173rd, Cooper of the 45th, Hatchett of the 155th, Silcox of the 53rd, Mainor of the 56th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to
2 control of hazardous conditions, preventable diseases, and metabolic disorders, so as to
3 provide for mandatory preeclampsia biomarker testing for pregnant women during their first
4 prenatal visit; to provide for a short title; to provide for definitions; to provide for additional
5 testing when deemed necessary and ordered by an attending physician; to provide for how
6 preeclampsia biomarker testing shall be conducted; to authorize the Department of Public
7 Health to promulgate rules and regulations; to amend Chapter 24 of Title 33 of the Official
8 Code of Georgia Annotated, relating to insurance generally, so as to require health benefit
9 policy coverage for preeclampsia biomarker testing for pregnant women during their first
10 prenatal visit and as deemed necessary and ordered by an attending physician thereafter; to
11 provide for conforming changes; to provide for an effective date; to amend Code Section
12 49-4-159.3 of the Official Code of Georgia Annotated, relating to biomarker testing for
13 Medicaid recipients, so as to require preeclampsia biomarker testing coverage for pregnant
14 women during their first prenatal visit and as deemed necessary and ordered by an attending
15 physician thereafter; to provide for related matters; to repeal conflicting laws; and for other
16 purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

19 Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of
20 hazardous conditions, preventable diseases, and metabolic disorders, is amended by adding
21 a new Code section to read as follows:

22 "31-12-15.

23 (a) This Code section shall be known and may be cited as the 'Georgia Preeclampsia
24 Biomarker Testing Act of 2024.'

25 (b) As used in this Code section, the term:

26 (1) 'Biomarker' means a characteristic that is objectively measured and evaluated as an
27 indicator of normal biological processes, pathogenic processes, or pharmacologic
28 responses to a specific therapeutic intervention. Such term includes, but is not limited to,
29 gene mutations, protein expression, known gene-drug interactions for medications, and
30 characteristics of genes.

31 (2) 'Biomarker testing' means the analysis of a patient's tissue, blood, or other
32 biospecimen for the presence of a biomarker. Such term includes, but is not limited to,
33 single-analyte tests, multiplex panel tests, whole genome sequencing, protein expression,
34 whole exome, and whole transcriptome.

35 (3) 'Consensus statements' means statements developed by an independent,
36 multidisciplinary panel of experts utilizing a transparent methodology and reporting
37 structure and with a conflict-of-interest policy. Such statements are aimed at specific
38 clinical circumstances and base the statements on the best available evidence for the
39 purpose of optimizing the outcomes of clinical care.

40 (4) 'Nationally recognized clinical practice guidelines' means evidence based clinical
41 practice guidelines developed by independent organizations or medical professional
42 societies utilizing a transparent methodology and reporting structure and with a
43 conflict-of-interest policy. Such guidelines establish standards of care informed by a

44 systematic review of evidence and an assessment of the benefits and risks of alternative
45 care options and include recommendations intended to optimize patient care.

46 (c)(1) A pregnant woman shall be screened for preeclampsia using biomarker testing at
47 the pregnant woman's first prenatal visit.

48 (2) A pregnant woman may be screened for preeclampsia using biomarker testing at any
49 other point during her pregnancy as deemed necessary and ordered by the attending
50 physician in accordance with this Code section and the rules, regulations, and standards
51 adopted and promulgated pursuant to this Code section.

52 (3) Each preeclampsia biomarker test shall be conducted by the physician or other
53 healthcare provider who is providing prenatal care for such pregnant woman according
54 to nationally recognized clinical practice guidelines and consensus statements.

55 (d) The department shall be authorized to promulgate rules and regulations for the purpose
56 of administering the requirements under this Code section."

57 **SECTION 2.**

58 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
59 generally, is amended in Code Section 33-24-24, relating to provision in group or blanket
60 accident and sickness policies of coverage for complications of pregnancy, by revising
61 subparagraph (a)(1)(A) as follows:

62 "(A) Conditions requiring hospital confinement when the pregnancy is not terminated
63 and whose diagnoses are distinct from pregnancy but are adversely affected by
64 pregnancy or are caused by pregnancy, such as acute nephritis, nephrosis, cardiac
65 decompensation, missed abortion, pre-eclampsia preeclampsia, intrauterine fetal growth
66 retardation, and similar medical and surgical conditions of comparable severity; but the
67 term shall not include false labor, occasional spotting, physician prescribed rest during
68 the period of pregnancy, morning sickness, hyperemesis gravidarum, and similar

69 conditions associated with the management of a difficult pregnancy not constituting a
70 nosologically distinct complication of pregnancy; and"

SECTION 3.

72 Said chapter is further amended by revising subsection (b) of Code Section 33-24-59.33,
73 relating to required coverage for biomarker testing, as follows:

74 "(b)(1) All health benefit policies renewed or issued on or after July 1, 2023, shall
75 include coverage for biomarker testing as provided in this Code section.

76 (2) All health benefit policies renewed or issued on or after July 1, 2024, shall include
77 coverage for biomarker testing for preeclampsia as provided for in Code Section
78 31-12-15 and this Code section."

SECTION 4.

80 Code Section 49-4-159.3 of the Official Code of Georgia Annotated, relating to biomarker
81 testing for Medicaid recipients, is amended by revising subsection (b) as follows:

82 "(b) The department shall provide biomarker testing for Medicaid recipients in accordance
83 with the requirements of Code Section 31-12-15 and this Code section."

SECTION 5.

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