

House Bill 320

By: Representatives Neal of the 74th, Kendrick of the 93rd, Nguyen of the 89th, and Evans of the 83rd

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, so as to require health care insurers to
3 offer group health benefit plans to state and local governments to insure inmates and certain
4 other persons in police custody; to provide for legislative findings; to provide for definitions;
5 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds that:

- 10 (1) In many circumstances, inmates and other persons in police custody may be in need
11 of health care services but may not be eligible for Medicaid coverage pursuant to
12 federal law;
- 13 (2) The cost of the provision of such services to such persons is often borne by taxpayers
14 at higher rates than would accrue if such persons were insured under group health
15 insurance plans purchased by state or local governments for such persons; and

16 (3) The cost to taxpayers for the provision of such services could be reduced by requiring
17 health care insurers to offer such plans.

18 **SECTION 2.**

19 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
20 general provisions regarding insurance, is amended by adding a new Code section to read as
21 follows:

22 "33-24-59.30.

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

24 (1) 'Health benefit plan' means a health insurance policy or subscriber agreement
25 between an insured person or policyholder and a health care insurer that defines the
26 covered services and benefit levels available.

27 (2) 'Health care insurer' means an accident and sickness insurer, health care corporation,
28 health maintenance organization, provider sponsored health care corporation, or similar
29 entity regulated by the Commissioner.

30 (3) 'Health care services' means the examination or treatment of persons for the
31 prevention of illness or the correction or treatment of any physical or mental condition
32 resulting from illness, injury, or other human physical problem.

33 (4) 'Inmate' means a male or female offender who is committed under sentence to or
34 confined in a penal or correctional institution.

35 (5) 'Local government' means any county or municipality of this state.

36 (6) 'Police custody' means the detainment by law enforcement personnel of any person,
37 including a person who is not an inmate, who has been arrested by such law enforcement
38 personnel.

39 (b) Each health care insurer offering a health benefit plan in this state shall also offer a
40 group health benefit plan to the Department of Administrative Services and all local

41 governments for the provision of health care services to inmates and other persons in police
42 custody."

43 **SECTION 3.**

44 This Act shall become effective on January 1, 2022.

45 **SECTION 4.**

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