

House Bill 813

By: Representatives McLeod of the 105th, Robichaux of the 48th, Holly of the 111th, McClain of the 100th, Clark of the 108th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public
2 assistance, so as to provide for a Medicaid expansion program to provide health care
3 coverage to uninsured individuals; to provide for definitions; to provide for the establishment
4 of the Medicaid Expansion Program; to provide for requirements; to provide for submission
5 of a federal waiver request; to provide for rules and regulations; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance,
10 is amended by adding a new article to read as follows:

11 "ARTICLE 10

12 49-4-200.

13 As used in this article, the term:

14 (1) 'Commissioner' means the commissioner of community health.

15 (2) 'Department' means the Department of Community Health.

16 (3) 'Eligible person' means an uninsured individual between and including the ages of
17 birth through 64 years of age.

18 (4) 'Medicaid' means the program of medical assistance conducted pursuant to Article 7
19 of this chapter, the 'Georgia Medical Assistance Act of 1977.'

20 (5) 'Medicaid Expansion Program' or 'program' means the Medicaid expansion program
21 created pursuant to this article to provide health care coverage to uninsured individuals.

22 (6) 'Medicare' means coverage under Part A or Part B of Title 18 of the federal Social
23 Security Act, as amended, and the rules promulgated pursuant to such Act.

24 49-4-201.

25 (a) The department shall create and implement an expansion of Medicaid in this state using
 26 fee-for-service Medicare benefits, to be known as the Medicaid Expansion Program.

27 (b) The program shall include:

28 (1) Coverage for eligible persons with incomes up to 150 percent of the federal poverty
 29 level;

30 (2) Subsidies to pay for coverage under the program or through the exchange for
 31 uninsured eligible persons with incomes between 151 percent and 500 percent of the
 32 federal poverty level, in an amount up to 5 percent of such person's income;

33 (3) A fee-for-service Medicare plan option, available for eligible persons in counties
 34 where there are less than three exchange plan options from which to choose;

35 (4) Coverage for eligible persons who are eligible to buy coverage on the exchange;

36 (5) Reimbursement to health care providers at 105 percent of the prevailing Medicare
 37 allowable rate for office visit codes 99201-99205 and 99211-99215;

38 (6) An option for small businesses to allow eligible persons employed by the small
 39 business to buy coverage under the program. For purposes of this paragraph, the term
 40 'small business' means an entity that (i) is owned or operated by a person employing 100
 41 or fewer individuals; and (ii) is a small business under the federal Small Business Act;
 42 and

43 (7) An option for eligible persons between and including the ages of 45 through 64 to
 44 buy into fee-for-service Medicare at premium rates consistent with such rates in his or her
 45 geographic area.

46 49-4-202.

47 The department shall submit a request to the United States Department of Health and
 48 Human Services Centers for Medicare and Medicaid Services for a waiver pursuant to
 49 Section 1115 of the federal Social Security Act to effectuate the implementation of the
 50 program pursuant to this article.

51 49-4-203.

52 The department shall be authorized to promulgate rules and regulations consistent with and
 53 necessary to carry out the provisions of this article."

54 **SECTION 2.**

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