

House Bill 887

By: Representative Thomas of the 65<sup>th</sup>

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 prohibit the use of artificial  
3 intelligence in making certain decisions regarding insurance coverage; to amend Article 1  
4 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to the Georgia  
5 Composite Medical Board, so as to prohibit the use of artificial intelligence in making certain  
6 decisions regarding healthcare; to provide for the Georgia Composite Medical Board to  
7 promulgate related rules; to amend Article 1 of Chapter 4 of Title 49 of the Official Code of  
8 Georgia Annotated, relating to general provisions regarding public assistance, so as to  
9 prohibit the use of artificial intelligence in making certain decisions regarding public  
10 assistance; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

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

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16 "33-24-59.34.

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

18 (1) 'Artificial intelligence' means a machine-based system that can, for a given set of  
19 human-defined objectives, make predictions, recommendations, or decisions influencing  
20 a real or virtual environment.

21 (2) 'Automated decision tool' means a system or service that uses artificial intelligence  
22 and has been specifically developed and marketed, or specifically modified, to make, or  
23 to be a controlling factor in making, consequential decisions.

24 (b) No decision shall be made concerning any coverage determination based solely on  
25 results derived from the use or application of artificial intelligence or utilizing automated  
26 decision tools.

27 (c) Any decision concerning any coverage determination which resulted from the use or  
28 application of artificial intelligence or automated decision tools shall be meaningfully  
29 reviewed, in accordance with procedures for such review created by each insurer, by an  
30 individual with authority to override said artificial intelligence or automated decision  
31 tools."

32 **SECTION 2.**

33 Article 1 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to the  
34 Georgia Composite Medical Board, is amended by adding a new Code section to read as  
35 follows:

36 "43-34-16.

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

38 (1) 'Artificial intelligence' means a machine-based system that can, for a given set of  
39 human-defined objectives, make predictions, recommendations, or decisions influencing  
40 a real or virtual environment.

41 (2) 'Automated decision tool' means a system or service that uses artificial intelligence  
42 and has been specifically developed and marketed, or specifically modified, to make, or  
43 to be a controlling factor in making, consequential decisions.

44 (3) 'Healthcare' means any care, treatment, service, or procedure to maintain, diagnose,  
45 treat, or provide for an individual's physical or mental health or personal care.

46 (b) No actions shall be taken concerning healthcare based solely on results derived from  
47 the use or application of artificial intelligence or utilizing automated decision tools.

48 (c) Any decision-making process concerning healthcare which resulted from the use or  
49 application of artificial intelligence or automated decision tools shall be meaningfully  
50 reviewed, in accordance with procedures for such review created the board, by an  
51 individual with authority to override said artificial intelligence or automated decision tools.

52 (d) The board shall be required to adopt and shall have the authority to promulgate rules  
53 and regulations governing and establishing the standards necessary to implement this Code  
54 section, specifically including but not limited to the disciplining of a physician who fails  
55 to comply with this Code section."

56 **SECTION 3.**

57 Article 1 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
58 general provisions regarding public assistance, is amended by revising Code Section 49-4-11,  
59 relating to award and payment of public assistance, as follows:

60 "49-4-11.

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

62 (1) 'Artificial intelligence' means a machine-based system that can, for a given set of  
63 human-defined objectives, make predictions, recommendations, or decisions influencing  
64 a real or virtual environment.

65 (2) 'Automated decision tool' means a system or service that uses artificial intelligence  
66 and has been specifically developed and marketed, or specifically modified, to make, or  
67 to be a controlling factor in making, consequential decisions.

68 ~~(a)~~(b) Upon the completion of the investigation under Code Section 49-4-9, the county  
69 department shall decide whether the applicant is eligible for assistance under this article  
70 and determine, in accordance with the rules and regulations of the Board of Human  
71 Services, the amount and kind of such assistance and the date on which such assistance  
72 shall begin. After a determination has been made as to the eligibility for and the type and  
73 amount of assistance to be provided, such assistance shall be furnished with reasonable  
74 promptness to all eligible persons in accordance with regulations of the board.

75 ~~(b)~~(c) Money payments of public assistance shall be made by check or electronic transfer  
76 in accordance with the regulations of the board.

77 (d) No decision shall be made concerning the award, denial, reduction, or termination of  
78 any public assistance based solely on results derived from the use or application of artificial  
79 intelligence or utilizing automated decision tools.

80 (e) Any decision-making process concerning the award, denial, reduction, or termination  
81 of any public assistance which resulted from the use or application of any artificial  
82 intelligence or automated decision tools shall be meaningfully reviewed, in accordance  
83 with procedures for such review created the board, by an individual with authority to  
84 override said artificial intelligence or automated decision tools."

85 **SECTION 4.**

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