

Senate Bill 206

By: Senators Jordan of the 6th, Karinshak of the 48th and Parent of the 42nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to provide for preexisting conditions under short-term health
3 benefit policies or certificates; to provide for definitions; to provide for the use of
4 "preexisting condition" in short-term health policies and exclusions; to provide for related
5 matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
9 generally, is amended by adding a new Code section to read as follows:

10 "33-24-59.25.

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

12 (1) 'Preventive services' means screening tests, counseling, and preventive medicines,
13 or treatments provided or conducted to prevent medical illness or condition prior to
14 symptoms or physical manifestations of such medical illness or condition.

15 (2) 'Short-term health benefit policy or certificate' means any individual or group plan,
16 policy, or contract for health care services for a coverage period of less than one year
17 issued, delivered, issued for delivery, or renewed in this state which provides major
18 medical benefits by a health care corporation, health maintenance organization, preferred
19 provider organization, accident and sickness insurer, fraternal benefit society, or any
20 similar entity and any self-insured plan not subject to the exclusive jurisdiction of the
21 Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1001, et seq.

22 (b) No short-term health benefit policy or certificate shall contain a provision defining
23 'preexisting condition' which is more restrictive than the following:

24 (1) Preexisting condition means the existence of symptoms which would cause an
25 ordinary prudent person to seek diagnosis, care, or treatment; or

26 (2) A condition for which medical advice or treatment was recommended by or received
27 from a provider of health care services, within six months preceding the effective date of
28 coverage of an insured person. The condition at issue must be the ultimate condition for
29 which medical advice or treatment was recommended by or received from a provider of
30 health care services and excludes any preventive services."

31 **SECTION 2.**

32 This Act shall apply to policies issued, delivered, issued for delivery, or renewed in this state
33 on or after July 1, 2019.

34 **SECTION 3.**

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