

Senate Bill 352

By: Senators Burke of the 11th, Kirkpatrick of the 32nd, Watson of the 1st, Harper of the 7th, Martin of the 9th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-20C-2 of the Official Code of Georgia Annotated, relating to
2 online provider directories, so as to provide for certain coverage requirements concerning
3 providers that become out-of-network during a plan year; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 33-20C-2 of the Official Code of Georgia Annotated, relating to online
8 provider directories, is amended by adding a new subsection to read as follows:

9 "(g)(1) When an insurer's provider directory includes a provider as a participating
10 provider for a network plan at such time as a prospective covered person selects his or her
11 health benefit plan, such insurer shall cover the provider charges at in-network rates for
12 the duration of the contract year for such covered person, regardless of whether such
13 provider remains a participating provider in the insurer's network plan, and shall ensure
14 that the covered person shall not be responsible for more than the amount for which he
15 or she would have been responsible had the services been delivered by an in-network
16 provider under the network plan.

17 (2) This subsection shall not apply if the provider:

18 (A) Becomes out-of-network due to suspension, expiration, or revocation of the
19 provider's license; or

20 (B) Unilaterally terminates participation in the insurer's network plan for reasons other
21 than default or breach by the insurer of a contract with the provider for the provision
22 of health care services.

23 (3) The provisions of subsection (d) of Code Section 33-20C-3 shall not apply to the
24 circumstances described in paragraph (1) of this subsection."

25

SECTION 2.

26 All laws and parts of laws in conflict with this Act are repealed.