

Senate Bill 376

By: Senator Jordan of the 6th

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 reduce out-of-pocket cost of
3 consumers requiring insulin; to provide for legislative findings; to provide for definitions;
4 to provide for related matters; to provide for an effective date and applicability; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The General Assembly finds that:

- 9 (1) Every Georgian with type one diabetes and many with type two diabetes rely on daily
10 doses of insulin to survive;
11 (2) Insulin prices have risen significantly in recent years; and
12 (3) One in four diabetics have reported insulin underuse due to the high cost of insulin.

13 **SECTION 2.**

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

17 "33-24-59.27.

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

- 19 (1) 'Cost sharing amount' is the share of costs a covered person is required to pay under a
20 health benefit plan for certain covered health care services which may include
21 deductibles, coinsurance, copayments, or other similar charges but does not include
22 premium payments.
23 (2) 'Covered person' means a natural person who is covered under a health benefit plan.

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

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

30 (5) '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 physical problems.

33 (b) A health care insurer that provides coverage for prescription insulin drugs pursuant to
34 the terms of a health benefit plan the health care insurer offers shall limit the total cost
35 sharing amount that a covered person is required to pay for a covered prescription insulin
36 drug to an amount not to exceed \$100.00 per 30 day supply of insulin, regardless of the
37 amount or type of insulin needed to fill the covered person's prescription.

38 (c) Nothing in this Code section prohibits a carrier from reducing a covered person's cost
39 sharing to an amount less than the amount specified in subsection (b) of this Code section."

40 **SECTION 3.**

41 This Act shall become effective January 1, 2021, and shall apply to all policies issued,
42 delivered, issued for delivery, or renewed in this state on or after such date.

43 **SECTION 4.**

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