

Senate Bill 474

By: Senators Jordan of the 6th and Williams of the 39th

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 "33-24-59.23.

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, 2018.

34 **SECTION 3.**

35 All laws and parts of laws in conflict with this Act are repealed.