

Senate Bill 76

By: Senators Merritt of the 9th, Lucas of the 26th, Harbison of the 15th, Butler of the 55th, Islam of the 7th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,
2 relating to the state employees' health insurance plan and post-employment health benefit
3 fund, so as to provide for state health benefit plans to cover insulin medication at a reduced
4 rate; to provide for definitions; to limit the total amount of any cost-sharing or copay required
5 under such plans for such medication; to provide for requirements and prohibitions for an
6 insurer under contract to provide a state health benefit plan; to allow for cost adjustments in
7 accordance with the Consumer Price Index; to provide for related matters; to provide for an
8 effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the
12 state employees' health insurance plan and post-employment health benefit fund, is amended
13 in Code Section 45-18-1, relating to definitions, by adding new paragraphs to read as
14 follows:

S. B. 76

- 1 -

15 "(1.2) 'Covered insulin medication' means insulin medication that is prescribed to treat
16 diabetes. Such term shall not include insulin medication that is prescribed for weight loss
17 or that is administered intravenously."

18 "(5) 'State health benefit plan' means the health insurance plan or plans established
19 pursuant to this article and Part 6 of Article 17 of Chapter 2 of Title 20 for state and
20 public employees, dependents, and retirees, and granted to the Board of Regents
21 members, employees, and retirees and their dependents pursuant to Code
22 Sections 20-3-31, 20-3-51, and 31-2-4."

23 **SECTION 2.**

24 Said article is further amended by adding a new Code section to read as follows:

25 "45-18-4.2.

26 (a) On and after January 1, 2024, a state health benefit plan shall limit the total amount of
27 any cost-sharing or copay that a covered person is required to pay under such plan for a
28 covered insulin medication to an amount not to exceed \$35.00 per 30 day supply or
29 \$105.00 per 90 day supply of such medication, regardless of the amount or type of insulin
30 needed to fill such prescription or the number of prescriptions.

31 (b) On and after January 1, 2024, an insurer under contract to provide insurance benefits
32 through a state health benefit plan shall include in the plan's formulary at least one covered
33 insulin medication from each therapeutic class that complies with the provisions of this
34 Code section, and, with respect to covered insulin medication, shall not:

35 (1) Apply any amount to the deductible;

36 (2) Impose any cost-sharing in excess of the lesser of, per 30 day supply, \$35.00, per 90
37 day supply, \$105.00, or the amount equal to 35 percent of the negotiated price of the
38 covered insulin medication net of all price concessions received by or on behalf of such
39 plan;

40 (3) Reduce or eliminate coverage due to the requirements of this Code section; or

41 (4) Impose prior authorization requirements or other medical management requirements
42 that limit beneficiary use.

43 (c) Nothing in this Code section shall prevent an insurer from establishing cost-sharing
44 requirements for covered insulin medication below the amounts provided for in
45 subsections (a) and (b) of this Code section.

46 (d) On January 1, 2025, and annually thereafter, the limits on the amount a covered person
47 is required to pay for a 30 day or 90 day supply of a covered insulin medication as provided
48 for in this Code section shall be adjusted by a percentage equal to the percentage change
49 from the preceding year in the prescription drug component of the Consumer Price Index
50 as reported by the Bureau of Labor Statistics of the United States Department of Labor."

51 **SECTION 3.**

52 This Act shall become effective upon its approval by the Governor or upon its becoming law
53 without such approval.

54 **SECTION 4.**

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