



February 5, 2016

### **Georgia Association of Health Underwriters – Week 4 Report**

The Legislature completed Days 13-16 this week. The week was, again, full of committee work. Floor votes also began this week.

#### **This week on the floor:**

There were a few bills heard on the floor this week. One of the bills that came out of the Insurance Committee is HB 402. This bill is a workforce development bill by Representative Eddie Lumsden that deals with the regulation of insurance rates and worker compensation for work-based learning programs. It offers a voluntary premium discount on a policy to encourage employers to provide work-based learning opportunities for students age 16 and older.

The bill passed on the House floor with a vote of 166-0.

#### **Schedule:**

Monday, February 8 – Thursday, February 11: Days 17-20  
Tuesday, February 16 – Friday, February 19: Days 21-24  
Monday, February 22 – Friday, February 26: Days 25-29  
Monday, February 29: Day 30  
Wednesday, March 2: Day 31  
Monday, March 7 – Tuesday, March 8: Days 32-33  
Thursday, March 10 – Friday, March 11: Days 34-35  
Monday, March 14 – Wednesday, March 16: Days 36-38  
Tuesday, March 22: Day 39  
Thursday, March 24: Day 40

#### **Day on the Hill:**

Please remember GAHU's Day on the Hill is scheduled for February 9<sup>th</sup>! We have already had an impressive number of legislators RSVP as well as the Commissioner of Insurance and members of his staff. The event is from 11:00 A.M. – 2:00 P.M. in the Empire Room of the Sloppy Floyd Building. We look forward to having you at the Capitol!

#### **Committee meetings:**

The Senate Insurance Committee met on Thursday of this week. There were 2 bill heard. SB 158, initially an omnibus insurance reform bill, now only deals with regulating rental networks. The bill passed without opposition. SB 290 only deals with

title insurance – ensuring that attorneys do not have to have a license to be involved in the sale of title insurance. This bill also passed without opposition.

Chairman Richard Smith began his 8 AM meetings this week. On Wednesday, the House Insurance Committee met and took up 2 bills.

HB 193 is the Life Insurance Consumer Disclosure Model Act. The bill provides that no insurer shall penalize an agent for advising a policy holder of the living benefits contained in a policy. The bill received a “do pass” from the Committee.

HB 866 exempts multiple employer self-insured health plans from premium taxes. This bill also received a “do pass” from the Committee.

### **PEO issue:**

We have been working with the Independent Insurance Agents of Georgia (IIAG) on PEO legislation that would regulate PEO's that have employees providing advice on Health and P&C policies. After meeting with Chairman Smith, he suggested a study committee on the issue. This will give us a chance to do more research on the bad actors and begin filing complaints so the DOI will have concrete data to point to. This is a satisfactory solution for the time being. We have begun drawing up legislation to create the study committee. We look forward to being a part of this committee and process.

### **Commissions:**

HB 838, the bill dropped by Representative Shaw Blackmon requiring health carriers in Georgia to pay a minimum 5% commission to agents on coverage placed was scheduled to be heard in Committee on Wednesday. The bill was delayed. We have heard there will be an amendment coming that will limit the times that the 5% commission can be charged. We will keep you posted of developments.

We are still waiting for direction from the Department of Insurance on the legality of cutting commissions during special enrollment.

### **Legislation:**

In addition to the above bill, there are numerous other bills of interest we are watching.

SB 265 by Senator Judson Hill seeks to clarify that a “physician agreement” is not considered to be an insurance arrangement or agreement and is not subject to state insurance laws so long as the direct financial relationship with the patient does not exceed a fee of \$6,000. It further states that physicians who enter into such an agreement would not be required to obtain a certificate of authority or license other than to maintain a current license to practice medicine in Georgia.

SB 302 by Senator PK Martin requires that health carriers maintain accurate provider directories in print and electronic form.

Both of the bills above are scheduled for a hearing on Monday, February 8<sup>th</sup> in the Senate Insurance Committee.

Below you can find a tracking spreadsheet with all the bills we are currently watching. Please let us know if you have any questions.

Bill #	Title	Date	Status	Sponsor
HB 0047	Prescription drugs; certain refills of topical ophthalmic products under certain conditions; authorize	2/12/15 10:04	Senate Read and Referred	Cooper, Sharon 43rd
HB 0193	Life Insurance Consumer Disclosure Model Act; enact	2/3/16 0:00	House - House Committee Favorably Reported By Substitute	Rogers, Carl 29th
HB 0703	Georgia Captive Insurance Company Act; enact	1/12/16 10:34	House Second Readers	Shaw, Jason 176th
HB 0776	Insurance; no health benefit plan shall refuse to pay or reimburse for a peroral endoscopic myotomy procedure; provide	1/21/16 10:21	House Second Readers	Beasley- Teague, Sharon 65th
HB 0783	Controlled substances; Schedules I and IV; change certain provisions	1/21/16 10:21	House Second Readers	Broadrick, Bruce 4th
HB 0784	Insurance; advertising and promotional items not exceeding \$100 will not be considered an unfair trade practice; provide	1/22/16 10:00	House Second Readers	Carson, John 46th
HB 0810	Health; imposition of costs for providing copies of health records; revise provisions	1/26/16 9:48	House Second Readers	Frye, Spencer 118th
HB 0823	Expand Medicaid Now Act	1/26/16 9:48	House Second Readers	Abrams, Stacey 89th
HB 0826	Medical practice; physicians; provide for certain requirements for advertisement or publication of representations of board certification	1/26/16 9:48	House Second Readers	Price, Betty 48th
HB 0838	Insurance; carriers that sell certain health plans through an agent shall compensate such agent a minimum of 5 percent of collected premiums; provide	1/28/16 8:28	House Second Readers	Blackmon, Shaw 146th
HB 0866	Insurance; multiple employer self-insured health plans; exempt from premium taxes	2/3/16 0:00	House - House Committee	Blackmon, Shaw 146th

			Favorably Reported	
HB 0875	Patient Access to Specialty Tier Drugs Act	2/2/16 9:50	House Second Readers	Hawkins, Lee 27th
HB 0886	Pharmacy licenses; employing mails or common carriers to sell, distribute, and deliver prescription drugs; revise a provision	2/3/16 10:28	House First Readers	Cooper, Sharon 43rd
HR 1054	House Study Committee on Policing and Mental Health; create	1/22/16 10:00	House Second Readers	Kendrick, Dar'shun 93rd
SB 0001	Insurance; provide for certain insurance coverage for autism spectrum disorders	2/3/15 10:28	House Second Readers	Bethel, Charlie 54th
SB 0007	Controlled Substances Therapeutic Relief Act; repeal provisions; provide for medical use of marijuana; definitions	2/11/15 10:07	Senate Read and Referred	Thompson, Curt 5th
SB 0038	Medicaid; authorization of appropriations; medical assistance payments to providers of Medicaid expansion	1/26/15 9:57	Senate Read and Referred	Fort, Vincent 39th
SB 0086	"Patient Compensation Act"; establish	2/9/15 11:05	Senate Read and Referred	Beach, Brandon 21st
SB 0143	Insurance; require insurer providing services under state health benefit plan to include certain trauma centers in provider network	3/19/15 9:47	House Second Readers	Hufstetler, Chuck 52nd
SB 0158	Consumer and Provider Protection Act; provide certain consumer and provider protections regarding health insurance	2/24/15 10:10	Senate Read and Referred	Burke, Dean 11th
SB 0265	Physician Direct Pay Act"; definitions; provide physician agreements are not insurance; exempt agreements from regulations as insurance	1/13/16 10:45	Senate Read and Referred	Hill, Judson 32nd
SB 0290	Insurance; clarify those individuals not required to be licensed as insurance agent	1/26/16 10:12	Senate Read and Referred	Bethel, Charlie 54th
SB 0302	Insurance; require health carriers to maintain accurate provider directories	1/28/16 10:06	Senate Read and Referred	Martin IV, P. K. 9th
SR 0722	Mental Illness, Initiative, Reform, Public Health, and Safety; create Joint Study Committee	1/21/16 10:08	Senate Read and Referred	James, Donzella 35th