



January 7, 2016

GOS Pre-session Report

The 2016 General Assembly convenes on January 11 for the second session of a two-year term. Legislation not enacted by the Governor during the 2015 session remains viable for consideration; however, lawmakers will focus most of their energy on newly filed bills.

Although both the House and Senate remain comfortably under Republican majority, there continue to be new faces in each chamber. Despite 2015 not being an election year, the Governor has called eleven special elections to fill vacancies in the House and Senate since the legislature adjourned *sine die* in April. In fact, the General Assembly has experienced a turnover rate of about 36% since 2013.

Your Government Affairs team has spent the past eleven months engaging with lawmakers in their districts across the state. This important fieldwork will show results when the legislature returns to Atlanta in January.

2016 is an election year in Georgia. That being said, lawmakers will be anxious to get out of Atlanta and get back to their districts to begin campaigning. We expect a fast and furious session. That said, we have a lot to accomplish. We want to thank those of you who have been greatly involved in meetings throughout the fall with the Medical Association of Georgia, the DOI and others. Your expertise and involvement help make us successful!

Issues to watch in 2016 –

One issue we expect to be addressed is religious freedom – an issue that has packed committee rooms across the country for two years. The Chairman of House committee where the bill sits has indicated he will take action.

Medical marijuana is likely to remain front and center as some proponents want to allow limited cultivation in Georgia.

Two bills passed last year - the transportation funding bill and a bill governing craft brewers in the state – could be revisited if there are enough legislators and interested parties in revising the bills.

Gambling and casinos have gotten a lot of attention throughout the fall – allowing gambling in Georgia would require a constitutional amendment which is no easy feat. There will, no doubt, be a very high profile debate regarding casino gambling and horse racing.

Education funding will likely be the most discussed issue of the 2016 session. It is likely that recommendations put forth by the Governor’s Education Reform Commission will generate much debate as they move forward with a rewrite of how K-12 money is distributed.

Outlined below are several industry specific issues that may surface in the coming session for your review.

Insurance Reform – SB 158

SB 158 was the subject of a study committee this summer and fall that wrapped up in December. The recommendations by the committee include the following:

- Clarifying the Georgia DOI’s powers relating to network adequacy and unilateral revisions in contracts.
- Improving the definition of rental networks.
- Raising the amount of provider and consumer communication with a focus on health and financial well-being of Georgians
- Looking into ways that the provider network’s financial stability can be improved.
- Reviewing model legislation put out by the National Association of Insurance Commissioners dealing with network adequacy, transparency and the need for up-to-date directories.

SB 158 is in the Senate Health Committee. We will continue to meet with stakeholders and elected officials to revise and refine this bill as it moves through the legislative process.

You can find the current version of the bill here:

<http://www.legis.ga.gov/Legislation/20152016/148977.pdf>

Surprise billing -

Senator Renee Unterman has brought this issue forth through SR 566 to study “abusive billing practices.”. She has indicated she is working towards legislation that prohibits insurance providers from penalizing patients for using an out-of-network provider during an emergency, identifying overcharging and a number of other issues. With Senator Unterman championing this issue and also being the Health Chair, we expect to see debate on the issue this year.

Live legislation – these are other bills that remain in play from the 2015 session

- HB 47 – Certain refills of topical ophthalmic prescriptions allowed under certain conditions including appropriate frequency. The purpose is to prevent unintended interruptions in drug therapy. **This bill remains alive for 2016.** (Cooper, 43rd)
- HB 193 / SB 136 – Both of these bills would affect individual life insurance policies owned by an individual who is a resident of this state, regardless of whether the policy was issued or renewed in the state. There are notice provisions outlined for the request of a surrender of, a loan against, or accelerated death benefit, nursing home benefit, critical illness benefit or other living benefit under the policy. There are also specific notices for an insurer and agent to follow if they know the policy owner is age 60 or older or is known by the insurer to be terminally ill. **This bills remain alive for 2016..** (Rogers, 29th; Harbin 16th)
- SB 143 – This bill proposes to require that an insurer who provides services under the State Health Benefit Plan must include all hospitals with Level 1 trauma centers in its provider network. This bill has ended up in the House Insurance Committee. **This bill remains alive for 2016.** (Hufstetler, 52nd)

Please let us know if you have any questions.

Thank you!

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