

House Bill 101

By: Representatives Douglas of the 78<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Evans of the 57<sup>th</sup>, Kelley of the 16<sup>th</sup>, Prince of the 132<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia  
2 Annotated, relating to the state employees' health insurance plan, so as to provide for an  
3 annual public report on the amount of prescription drug rebates and other price concessions  
4 applied to premium reductions for state health plan participants; to provide for definitions;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,  
9 relating to the state employees' health insurance plan, is amended by adding a new Code  
10 section to read as follows:

11 "45-18-6.2.

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

13 (1) 'Contracted entity' means any corporation licensed to transact accident and health  
14 insurance business in this state, healthcare corporation, professional claim administrator,  
15 independent adjusting firm, health maintenance organization, licensed pharmacy benefits  
16 manager, or any other entity that enters into a contract with the board to provide

17 healthcare coverage or services pursuant to a state health plan, including, but not limited  
18 to, medical benefits, pharmacy benefits, and well-being incentives and programs.

19 (2) 'Prescription drug rebates and other price concessions' means all remuneration  
20 received by or on behalf of the state health plan, including remuneration received by or  
21 on behalf of any contracted entity, that decrease the costs of a prescription drug covered  
22 by the state health plan, regardless of from whom the remuneration is received. Such  
23 term includes discounts, charge-backs or rebates, cash discounts, free goods contingent  
24 on a purchase agreement, up-front payments, coupons, goods in kind, free or reduced  
25 price services, grants, or other price concessions or similar benefits to the extent that the  
26 value of these items reduce costs for the state health plan. Such term excludes any  
27 remuneration, coupons, or price concessions for which the full value is passed on to the  
28 state health plan participants, or bona fide service fees, such as fees paid by a drug  
29 manufacturer to any contracted entity that represent fair market value for a bona fide,  
30 itemized service actually performed on behalf of such drug manufacturer that such drug  
31 manufacturer would otherwise perform or contract for in the absence of the service  
32 arrangement and that are not passed on in whole or in part to a client or customer of such  
33 entity.

34 (3) 'State health plan' means:

35 (A) The state employees' health insurance plan established pursuant to Article 1 of  
36 Chapter 18 of Title 45;

37 (B) The health insurance plan for public school teachers established pursuant to  
38 Subpart 2 of Part 6 of Article 17 of Chapter 2 of Title 20;

39 (C) The health insurance plan for public school employees established pursuant to  
40 Subpart 3 of Part 6 of Article 17 of Chapter 2 of Title 20; and

41 (D) The health benefits plan established for members, employees, and retirees of the  
42 Board of Regents of the University System of Georgia pursuant to Code  
43 Sections 20-3-31, 20-3-51, and 31-2-4.

44 (b) Beginning July 1, 2026, and annually thereafter, the board shall prepare an annual  
45 report on the amount of prescription drug rebates and other price concessions, measured  
46 in dollars and by percentage, applied to premium reductions for state health plan  
47 participants. Such annual report shall be published and maintained on the department's  
48 public website."

49 **SECTION 2.**

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