

The House Committee on Public Health offers the following substitute to HB 1081:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to  
2 control of hazardous conditions, preventable diseases, and metabolic disorders, so as to  
3 provide for preeclampsia biomarker testing for pregnant women during their course of  
4 prenatal care when deemed necessary and ordered by her attending physician; to provide for  
5 a short title; to provide for definitions; to provide for how preeclampsia biomarker testing  
6 shall be conducted; to authorize the Department of Public Health to promulgate rules and  
7 regulations; to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated,  
8 relating to insurance generally, so as to require health benefit policy coverage for  
9 preeclampsia biomarker testing for pregnant women during their course of prenatal care; to  
10 provide for conforming changes; to amend Code Section 49-4-159.3 of the Official Code of  
11 Georgia Annotated, relating to biomarker testing for Medicaid recipients, so as to require  
12 preeclampsia biomarker testing coverage for pregnant women during their course of prenatal  
13 care; to provide for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

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16 Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of  
17 hazardous conditions, preventable diseases, and metabolic disorders, is amended by adding  
18 a new Code section to read as follows:

19 "31-12-15.

20 (a) This Code section shall be known and may be cited as the 'Georgia Preeclampsia  
21 Biomarker Testing Act of 2024.'

22 (b) As used in this Code section, the term:

23 (1) 'Biomarker' means a characteristic that is objectively measured and evaluated as an  
24 indicator of normal biological processes, pathogenic processes, or pharmacologic  
25 responses to a specific therapeutic intervention. Such term includes, but is not limited to,  
26 gene mutations, protein expression, known gene-drug interactions for medications, and  
27 characteristics of genes.

28 (2) 'Biomarker testing' means the analysis of a patient's tissue, blood, or other  
29 biospecimen for the presence of a biomarker using an FDA approved method of analysis.  
30 Such term includes, but is not limited to, single-analyte tests, multiplex panel tests, whole  
31 genome sequencing, protein expression, whole exome, and whole transcriptome.

32 (3) 'Consensus statements' means statements developed by an independent,  
33 multidisciplinary panel of experts utilizing a transparent methodology and reporting  
34 structure and with a conflict-of-interest policy. Such statements are aimed at specific  
35 clinical circumstances and base the statements on the best available evidence for the  
36 purpose of optimizing the outcomes of clinical care.

37 (4) 'Nationally recognized clinical practice guidelines' means evidence based clinical  
38 practice guidelines developed by independent organizations or medical professional  
39 societies utilizing a transparent methodology and reporting structure and with a  
40 conflict-of-interest policy. Such guidelines establish standards of care informed by a

41 systematic review of evidence and an assessment of the benefits and risks of alternative  
42 care options and include recommendations intended to optimize patient care.

43 (c)(1) A pregnant woman may be screened for preeclampsia using biomarker testing  
44 when ordered by the attending physician in accordance with this Code section.

45 (2) Each preeclampsia biomarker test shall be conducted by the physician or other  
46 healthcare provider who is providing prenatal care for such pregnant woman according  
47 to nationally recognized clinical practice guidelines and consensus statements.

48 (d) The department shall be authorized to promulgate rules and regulations for the purpose  
49 of administering the requirements under this Code section."

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## SECTION 2.

51 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance  
52 generally, is amended in Code Section 33-24-24, relating to provision in group or blanket  
53 accident and sickness policies of coverage for complications of pregnancy, by revising  
54 subparagraph (a)(1)(A) as follows:

55 "(A) Conditions requiring hospital confinement when the pregnancy is not terminated  
56 and whose diagnoses are distinct from pregnancy but are adversely affected by  
57 pregnancy or are caused by pregnancy, such as acute nephritis, nephrosis, cardiac  
58 decompensation, missed abortion, ~~pre-eclampsia~~ preeclampsia, intrauterine fetal growth  
59 ~~retardation~~ restriction, and similar medical and surgical conditions of comparable  
60 severity; but the term shall not include false labor, occasional spotting, physician  
61 prescribed rest during the period of pregnancy, morning sickness, hyperemesis  
62 gravidarum, and similar conditions associated with the management of a difficult  
63 pregnancy not constituting a nosologically distinct complication of pregnancy; and"

64 **SECTION 3.**

65 Said chapter is further amended by revising subsection (b) of Code Section 33-24-59.33,  
66 relating to required coverage for biomarker testing, as follows:

67 "(b)(1) All health benefit policies renewed or issued on or after July 1, 2023, shall  
68 include coverage for biomarker testing as provided in this Code section.

69 (2) All health benefit policies renewed or issued on or after July 1, 2024, shall include  
70 coverage for biomarker testing for preeclampsia as provided for in Code Section  
71 31-12-15."

72 **SECTION 4.**

73 Code Section 49-4-159.3 of the Official Code of Georgia Annotated, relating to biomarker  
74 testing for Medicaid recipients, is amended by revising subsection (b) as follows:

75 "(b) The department shall provide biomarker testing for Medicaid recipients in accordance  
76 with the requirements of Code Section 31-12-15 and this Code section."

77 **SECTION 5.**

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