

House Bill 1343

By: Representatives Lim of the 98th, Stephens of the 164th, and Buckner of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as to provide Medicaid coverage for tobacco
3 cessation treatments; to provide for requirements; to provide for submission of a state plan
4 amendment or waiver, if necessary; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
9 medical assistance generally, is amended by adding a new Code section to read as follows:

10 "49-4-159.2.

11 (a) The department shall provide Medicaid coverage for tobacco cessation treatments as
12 follows:

13 (1) The medical assistance program shall provide coverage and shall reimburse any
14 provider of medical assistance for tobacco cessation treatments for any recipient of
15 medical assistance, including:

16 (A) Any United States Food and Drug Administration medication approved for tobacco
17 cessation when prescribed; and
18 (B) Individual, group, and telephone counseling for tobacco cessation, as defined by
19 the United States Public Health Services Guidelines or the United States Preventive
20 Services Task Force;
21 (2) A recipient of medical assistance shall not be limited in the number of covered
22 tobacco cessation attempts for counseling treatments, whether on an annual, lifetime, or
23 other basis; and
24 (3) The department and any managed care organization shall not impose:
25 (A) Prior authorization requirements upon any treatments prescribed or ordered by a
26 provider of medical assistance for tobacco cessation purposes; or
27 (B) Any copayment or other out-of-pocket cost sharing for tobacco cessation
28 treatments for a recipient of medical assistance, including any deductible.
29 (b) The department shall implement and administer the provisions of this Code section
30 consistent with applicable federal laws and regulations and shall submit to the federal
31 Centers for Medicare and Medicaid Services any state Medicaid plan amendment, waiver
32 request, or other approval request necessary to implement the provisions of this Code
33 section."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.