

Senate Bill 1

By: Senators Burke of the 11th, Watson of the 1st, Miller of the 49th, Butler of the 55th, Hufstetler of the 52nd and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 31-53-40 of the Official Code of Georgia Annotated, relating to  
2 definitions relative to the Georgia All-Payer Claims Database, so as to provide that entities  
3 that receive certain tax credits and that provide self-funded, employer sponsored health  
4 insurance plans are submitting entities; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 31-53-40 of the Official Code of Georgia Annotated, relating to definitions  
9 relative to the Georgia All-Payer Claims Database, is amended by revising paragraph (6) as  
10 follows:

11 "(6) 'Submitting entity' means:

12 (A) An entity that provides health or dental insurance or a health or dental benefit plan  
13 in the state, including without limitation an insurance company, medical services plan,  
14 hospital plan, hospital medical service corporation, health maintenance organization,  
15 or fraternal benefit society, provided that the entity has covered individuals and the  
16 entity had at least 1,000 covered lives in the previous calendar year;

- 17 (B) The Department of Community Health in the administration of Medicaid  
18 fee-for-service claims and the State Health Benefit Plan;
- 19 (C) Medicaid care management organizations;
- 20 (D) A health benefit plan offered or administered by or on behalf of the federal  
21 government with the agreement of the federal government;
- 22 (E) Any other entity providing a plan of health insurance or health benefits subject to  
23 state insurance ~~regulation~~ regulations, including, but not limited to, a third-party  
24 administrator or pharmacy benefits manager, provided that the entity had at least 1,000  
25 covered lives in the previous calendar year;
- 26 (F) Any entity in this state that claimed a tax credit or benefit in the previous calendar  
27 year pursuant to Code Section 33-1-25, 48-7-29.6, 48-7-29.14, 48-7-40, 48-7-40.1,  
28 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.5, 48-7-40.6, 48-7-40.7, 48-7-40.8, 48-7-40.9,  
29 48-7-40.12, 48-7-40.15, 48-7-40.17, 48-7-40.18, 48-7-40.21, 48-7-40.22, 48-7-40.24,  
30 48-7-40.25, 48-7-40.26, 48-7-40.26A, 48-7-40.30, 48-7-40.32, 48-7-40.33, 48-7-40.34,  
31 or 48-7-40.35 and that provides a self-funded, employer sponsored health insurance  
32 plan that is not subject to the regulatory authority of the Commissioner of Insurance  
33 pursuant to Title 33. On and after January 1, 2022, compliance with this article shall  
34 be considered a condition to claim a tax credit or benefit pursuant to any of the Code  
35 sections mentioned herein;
- 36 ~~(F)~~(G) An entity that contracts with institutions of the Department of Corrections to  
37 provide medical, dental, or pharmaceutical care to inmates;
- 38 ~~(G)~~(H) Any other health benefit plan offered or administered by or on behalf of the  
39 state or an agency or instrumentality of the state;
- 40 ~~(H)~~(I) The State Board of Workers' Compensation; and
- 41 ~~(I)~~(J) The Georgia Access to Medical Cannabis Commission.

42 This term does not include an entity that provides health insurance or a health benefit  
43 plan that is accident-only, specified disease, hospital indemnity, long-term care, disability  
44 income, or other supplemental benefit coverage."

45 **SECTION 2.**

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