

House Bill 385

By: Representatives Hawkins of the 27th, Smith of the 134th, Powell of the 171st, Kelley of the 16th, Hatchett of the 150th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to require that a statement indicating that the subscriber's health
3 policy is fully insured is included on a subscriber's health insurance identification card; to
4 provide for definitions; to provide for related matters; to provide for applicability; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
9 generally, is amended by revising Code Section 33-24-57.1 of the Official Code of Georgia
10 Annotated, relating to health insurance identification cards, issue required, contents,
11 updating, and social security numbers not to be displayed, as follows:

12 "33-24-57.1.

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

14 (1) 'Dental insurer' means any person, firm, corporation, joint venture, or other similar
15 business entity that offers dental health benefit plans in consideration of periodic
16 payments.

17 (2) 'Fully insured' means any health policy in which all benefits payable are guaranteed
18 under a contract or policy on insurance issued by an insurer authorized to transact
19 business in this state.

20 ~~(1)~~(3) 'Health policy' means any health care plan, dental plan, subscriber contract, or
21 other policy plan or contract by whatever name called, including without limitation any
22 health benefit plan established pursuant to Article 1 of Chapter 18 of Title 45; other than
23 a disability income policy, a long-term care insurance policy, a medicare supplement
24 policy, a health insurance policy written as a part of workers' compensation equivalent
25 coverage, a specified disease policy, a credit insurance policy, a hospital indemnity
26 policy, a limited accident policy, or other type of limited accident and sickness policy.

27 ~~(2)~~(4) 'Insurer' means a health care corporation, health maintenance organization,
 28 preferred provider organization, dental insurer, accident and sickness insurer, fraternal
 29 benefit society, hospital service corporation, medical service corporation, health care
 30 corporation, health maintenance corporation, provider sponsored health care corporation,
 31 any similar entity authorized to issue contracts under this title, or the plan administrator
 32 of any health benefit plan established pursuant to Article 1 of Chapter 18 of Title 45.

33 (b) Each insurer writing a health policy in this state shall provide subscribers of such
 34 policies with an insurance identification card, which shall, at a minimum, contain the
 35 following preprinted, not handwritten, information:

36 (1) The subscriber's name and:

37 (A) The names of all other persons included under the subscriber's coverage; or

38 (B) If a separate card is issued for each person included under the subscriber's
 39 coverage, the name of the covered person for whom such card is issued may be listed
 40 in lieu of the information required by subparagraph (A) of this paragraph;

41 (2) The subscriber's identification number;

42 (3) The group number, if applicable;

43 (4) The effective date of coverage;

44 (5) The name of the subscriber's primary care physician, if applicable;

45 (6) The name of the subscriber's insurer, the name of the health plan, and the plan type
 46 or product name, if applicable;

47 (7) The address of the office where claims are to be filed;

48 (8) The insurer's contact phone numbers and the phone number for coverage
 49 confirmation and preauthorization, if applicable;

50 (9) The policy's requirements as to copayments, coinsurance payments, or deductibles,
 51 as applicable; ~~and~~

52 (10) Either the name of the primary hospital and of the laboratory and radiology services
 53 to be used or a toll-free or local telephone number for contacting the health plan and
 54 obtaining such information. Such a toll-free or local telephone number shall be available
 55 to health care providers and consumers to obtain eligibility and coverage information
 56 from at least 7:00 A.M. until 9:00 P.M. daily on Monday through Friday, whether staffed
 57 by a live person or via an automated phone-line basis; and

58 (11) A statement indicating whether the subscriber's health policy is fully insured and
 59 subject to regulation by the Commissioner.

60 (c) Any insurance identification card which contains the information required by
 61 subsection (b) of this Code section in preprinted form may, at the option of the insurer,
 62 additionally contain at least such information encoded on a magnetic strip or other
 63 electronic memory card.

64 (d) In addition to the information required by subsection (b) of this Code section, each
65 insurance identification card provided under this Code section shall contain prescription
66 drug coverage information, if applicable. Information provided pursuant to this subsection
67 shall include:

- 68 (1) BIN number;
- 69 (2) Processor control number, if applicable; and
- 70 (3) Pharmacy help desk telephone number and names.

71 (e) So as to ensure that insurance identification cards issued under this Code section
72 contain accurate and updated information, each insurer shall provide each subscriber with
73 a new insurance identification card whenever any information required to be on the card
74 is changed not later than 60 days after such change becomes effective. If the insurer issues
75 annual renewal cards, it may issue a temporary sticker containing the new information in
76 lieu of issuing a new card prior to the annual renewal date. Such sticker shall be so
77 designed that it can be attached to the existing card.

78 (f) Insurance identification cards issued by any insurer under this Code section on and after
79 July 1, 2004, shall not use or display the insured's social security number for any purpose
80 or in any manner on such card."

81 **SECTION 2.**

82 This Act shall apply to all insurance identification cards issued by an insurer on and after
83 January 1, 2020.

84 **SECTION 3.**

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