



DIRECTIVE 22-EX-4

TO: ALL CARRIERS OFFERING HEALTH BENEFIT POLICIES IN GEORGIA

FROM: JOHN F. KING
INSURANCE AND SAFETY FIRE COMMISSIONER

DATE: JUNE 30, 2022

RE: COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR BREAST CANCER

HB 733 was signed into law by Governor Brian Kemp on May 6, 2022, and became effective on the same date. Part II of HB 733 amended OCGA § 33-24-59.31 to introduce new requirements on health benefit policies issued, delivered, issued for delivery, or renewed on or after January 1, 2023. This Bulletin is intended to put any affected Carriers on notice of the changes and to offer the Department's interpretation of the relevant provisions.

The relevant portion of HB 733 states "A health benefit policy that provides coverage for diagnostic examinations for breast cancer shall include provisions that ensure that the cost-sharing requirements applicable to diagnostic and supplemental breast screening examinations are no less favorable than the cost-sharing requirements applicable to screening mammography for breast cancer."

It is the Department's opinion that to comply with this provision, those cost-sharing requirements applying to diagnostic and supplemental breast screening examinations must use actual out-of-pocket costs to the consumer. This means that in looking at whether the requirements applicable to diagnostic and supplemental breast screening examinations are any less favorable than those applicable to screening mammography, the Department will not look at the percentage of the cost of the procedure an insured is expected to take on. Instead, the Department will look at the actual dollar value the insured is expected to pay.

For example, were a policy to provide for a \$50 out-of-pocket cost for a screening mammography, the Department would expect the same or less of an out-of-pocket cost for diagnostic and supplemental breast screening examinations to determine compliance with this law. Further questions or clarifications may be sent to the Insurance Regulation Division at the Department.

JOHN F. KING
INSURANCE AND SAFETY FIRE COMMISSIONER
STATE OF GEORGIA