The Assembly Health Committee reports favorably Assembly Bill No. 2829.

This bill amends the "Health Care Quality Act" (N.J.S.A.26:2S-1 et seq.) to require all health insurance carriers and health maintenance organizations that are subject to that law, to use the "prudent layperson" definition of emergency when determining coverage for emergency health services.

The definition provides that "emergency" means a medical condition manifesting itself by acute symptoms of sufficient severity including, but not limited to, severe pain, psychiatric disturbances or symptoms of substance abuse such that a prudent layperson, who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate attention to result in: placing the health of the individual, or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy; serious impairment to bodily functions; or serious dysfunction of a bodily organ or part. With respect to a pregnant woman who is having contractions, an emergency exists if there is inadequate time to effect a safe transfer to another hospital before delivery, or the transfer may pose a threat to the health or safety of the woman or the unborn child.

This bill codifies in law regulations adopted by the Department of Health and Senior Services on April 6, 2000 governing health maintenance organizations (at N.J.A.C.8:38-1.2) and other carriers subject to the "Health Care Quality Act" (at N.J.A.C.8:38A-1.2) that revised the definition of "emergency."

This bill is identical to Senate Bill No. 9 (Bassano/Vitale), which the committee also reported on this date.