

ASSEMBLY, No. 1816

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblywoman CAROLINE CASAGRANDE

District 12 (Mercer and Monmouth)

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District 11 (Monmouth)

SYNOPSIS

Provides for certain requirements concerning Independent Health Care Appeals Program.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the Independent Health Care Appeals Program
2 and supplementing P.L.1997, c.192 (C.26:2S-1 et al.) and Title
3 45 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The Independent Health Care Appeals Program established
9 pursuant to section 11 of P.L.1997, c.192 (C.26:2S-11) shall
10 provide a 24-hour "hotline" telephone service staffed by trained
11 persons to provide information about, and respond to questions
12 from, members of the public about the operation of, and how to
13 apply for, the program.

14 b. A general hospital licensed pursuant to P.L.1971, c.136
15 (C.26:2H-1 et seq.) shall be required, as prescribed by regulation of
16 the Commissioner of Health and Senior Service, to:

17 (1) post, in a conspicuous place in each of its waiting rooms for
18 members of the general public, a notice that provides information
19 about the operation of, and how to apply for, the program; and

20 (2) provide training for appropriate hospital staff to enable them
21 to provide information, and respond to questions from patients and
22 their family members, or other persons on the patient's behalf,
23 about the operation of, and how to apply for, the program.
24

25 2. A licensed physician shall be required, as prescribed by
26 regulation of the State Board of Medical Examiners, to post, in a
27 conspicuous place in the patients' waiting room within the
28 physician's medical office, a notice that provides information about
29 the operation of the Independent Health Care Appeals Program,
30 established pursuant to section 11 of P.L.1997, c.192 (C.26:2S-11),
31 and how to apply for the program.
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33 3. The Commissioner of Health and Senior Services and the
34 State Board of Medical Examiners, pursuant to the "Administrative
35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and in
36 consultation with each other and the Commissioner of Banking and
37 Insurance, shall adopt rules and regulations to effectuate the
38 purposes of this act.
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40 4. This act shall take effect on the 180th day after enactment,
41 but the Commissioners of Health and Senior Services and Banking
42 and Insurance and the State Board of Medical Examiners may take
43 such anticipatory administrative action in advance thereof as shall
44 be necessary for the implementation of the act.

STATEMENT

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This bill is intended to make information about the Independent Health Care Appeals Program, which was established pursuant to section 11 of P.L.1997, c.192 (C.26:2S-11), more widely available to the public.

The purpose of the appeals program is to provide an independent medical necessity or appropriateness of services review of a final decision by a health insurance carrier to deny, reduce, or terminate benefits in the event that the final decision is contested by the insured person or any health care provider acting on behalf of the covered person, but only with the insured's consent. (The appeal review does not include any decisions regarding benefits not covered by the insured's health benefits plan.) The insured or a provider may apply to the program for a review of a decision to deny, reduce, or terminate a benefit if the insured or the provider has already completed the carrier's appeals process, if any, and the insured or the provider contests the final decision by the carrier.

The bill provides specifically as follows:

- The program is to provide a 24-hour "hotline" telephone service staffed by trained persons to provide information about, and respond to questions from, members of the public about the operation of, and how to apply for, the program.
- A licensed general hospital is required, as prescribed by regulation of the Commissioner of Health and Senior Service, to:
 - post, in a conspicuous place in each of its waiting rooms for members of the general public, a notice that provides information about the operation of, and how to apply for, the program; and
 - provide training for appropriate hospital staff to enable them to provide information, and respond to questions from patients and their family members, or other persons on the patient's behalf, about the operation of, and how to apply for, the program.
- A licensed physician is required, as prescribed by regulation of the State Board of Medical Examiners (BME), to post, in a conspicuous place in the patients' waiting room within the physician's medical office, a notice that provides information about the operation of, and how to apply for, the program.
- The Commissioner of Health and Senior Services and the BME are to adopt regulations to implement the provisions of the bill in consultation with each other and the Commissioner of Banking and Insurance.
- The bill takes effect on the 180th day after enactment, but authorizes the Commissioners of Health and Senior Services and Banking and Insurance and the BME to take anticipatory administrative action in advance as necessary for its implementation.