

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 358

STATE OF NEW JERSEY

DATED: MAY 27, 2010

The Senate Health, Human Services and Senior Citizens Committee favorable reports a Senate Committee Substitute for Senate Bill No. 358.

The purpose of this committee substitute is to ensure that persons with disabilities, who have health insurance through a managed care plan, have reasonable access to primary care and specialist providers whose professional offices are accessible in accordance with the federal Americans with Disability Act of 1990 (ADA) standards for accessible design. The provisions of the substitute apply to individual, small employer and larger employer health benefits plans, and plans issued by the State Health Benefits Program and the School Employees' Health Benefits Program.

Specifically, the substitute requires a carrier which offers a managed care plan to establish procedures to ensure that persons with disabilities have reasonable access to primary and specialty care providers whose professional offices are accessible to persons with disabilities in accordance with the ADA standards for accessible design published by the United States Department of Justice pursuant to 28 CFR Part 36.

The procedures shall provide that in the event a covered person with a disability is unable to reasonably access an in-network primary or specialty care provider whose professional office is accessible to the covered person, the carrier shall arrange for a provider that is accessible, with the same financial responsibility as the covered person would incur if the provider was in-network.

The substitute similarly applies these requirements to managed care plan contracts purchased by the State Health Benefits Commission and the School Employees' Health Benefits Commission.

The substitute takes effect on the 90th day after enactment and shall apply to any health insurance contract or policy issued or renewed on or after that date.