

ASSEMBLY, No. 377

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Co-Sponsored by:

Assemblywoman Pinkin

SYNOPSIS

Requires hospital employees assist uninsured patients with creating account to apply for insurance coverage through Federally-Facilitated Marketplace.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning uninsured patients and supplementing Title 26
2 of the Revised Statutes.

3

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

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7 1. a. As used in this section:

8 "Designated hospital employee" means an employee of the
9 hospital who has received training in the collection of patient
10 financial data and identification of third party coverage, and who
11 may additionally be registered or otherwise permitted to assist
12 patients in accessing and navigating the Federally-Facilitated
13 Marketplace, in accordance with applicable State and federal law.

14 "Federally-Facilitated Marketplace" means the health insurance
15 marketplace established pursuant to the federal "Patient Protection
16 and Affordable Care Act," Pub.L.111-148, as amended by the
17 federal "Health Care and Education Reconciliation Act of 2010,"
18 Pub.L.111-152.

19 b. Prior to a patient's discharge from a hospital, a designated
20 hospital employee shall interview the patient to determine the
21 patient's health insurance status. If the nature of the patient's
22 required health care makes the patient interview impractical, the
23 designated hospital employee shall interview a family member or
24 guardian of the patient. The designated hospital employee shall
25 inquire of the patient, family member, or guardian whether the
26 patient is covered by health insurance and, if so, shall request
27 documentation of the evidence of health insurance coverage.
28 Documentation may include, but shall not be limited to, a
29 government sponsored health plan card or number, a group
30 sponsored or direct subscription health plan card or number, a
31 commercial insurance identification card or claim form, or a union
32 welfare plan identification card or claim form.

33 c. If it is determined upon the discharge interview that the
34 patient does not have health insurance, the designated hospital
35 employee shall assist the patient to create an account enabling the
36 patient to access the Federally-Facilitated Marketplace website and
37 shall additionally provide the following assistance:

38 (1) If the patient's request for care occurs during the open
39 enrollment period for purchasing health insurance through the
40 Federally-Facilitated Marketplace, the employee may, to the extent
41 permitted by law, assist the patient with registering an account with
42 the Federally-Facilitated Marketplace website. If the employee is
43 registered as a Navigator, Certified Application Counselor, or is
44 otherwise permitted by State and federal law to assist individuals in
45 enrolling in a health insurance plan, the employee shall offer
46 assistance to the patient in applying for potential subsidies and
47 enrolling in a qualified health plan of the patient's choice. An
48 employee not designated to provide assistance in enrollment may

1 refer the patient to an appropriate staff member or entity to continue
2 the enrollment process.

3 (2) If the patient's request for care does not occur during the
4 open enrollment period for purchasing health insurance through the
5 Federally-Facilitated Marketplace, if the designated employee is not
6 registered or permitted by law or is otherwise unable to provide the
7 assistance described in paragraph (1) of this subsection, if the
8 patient chooses not to purchase insurance through the Federally-
9 Facilitated Marketplace, or if the patient does not obtain insurance
10 through the Federally-Facilitated Marketplace for any other reason,
11 the designated employee shall provide the patient, family member,
12 or guardian with information about resources available to assist the
13 patient in navigating the Federally-Facilitated Marketplace website,
14 purchasing health insurance through the Federally-Facilitated
15 Marketplace, and the dates of the next open enrollment period.

16 (3) If it is determined during the patient's discharge interview
17 that the patient is eligible for New Jersey FamilyCare, the
18 designated employee shall assist the patient in beginning enrollment
19 into the FamilyCare program using the State's presumptive
20 eligibility process. If the employee is unable to assist in the
21 enrollment process, or if the patient does not wish to begin the
22 process at the time of the interview, the employee shall provide the
23 patient with appropriate information on the FamilyCare program.

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25 2. This act shall take effect on the 30th day after the date of
26 enactment.

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29 STATEMENT

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31 This bill would require that designated hospital employees who
32 have satisfied certain training requirements assist uninsured patients
33 to create an account for the patient to access the Federally-
34 Facilitated Marketplace established pursuant to the federal "Patient
35 Protection and Affordable Care Act," Pub.L.111-148, as amended
36 by the federal "Health Care and Education Reconciliation Act of
37 2010," Pub.L.111-152, also known as "Obamacare." The
38 designated employee would be required to provide additional
39 information concerning the Federally-Facilitated Marketplace and,
40 if authorized to do so, may also assist the patient with obtaining
41 health insurance through the Federally-Facilitated Marketplace.

42 Prior to a patient's discharge from a hospital, the designated
43 employee would interview the patient, or the patient's family
44 member or guardian if the patient is unavailable, to determine
45 whether the patient has health insurance coverage and to obtain
46 documentation of any coverage. If it is determined that the patient
47 does not have insurance coverage, the designated hospital employee

1 would assist the patient to create an account enabling the patient to
2 access the Federally-Facilitated Marketplace website.

3 If the patient's request for care occurs during the open
4 enrollment period for purchasing health insurance through the
5 Federally-Facilitated Marketplace, the employee may, to the extent
6 permitted by law, assist the patient with registering an account with
7 the Marketplace website. If the employee is registered as a
8 Navigator, Certified Application Counselor, or is otherwise
9 permitted by State and federal law to assist individuals in enrolling
10 in a health insurance plan, the employee would offer assistance to
11 the patient in applying for potential subsidies and enrolling in a
12 qualified health plan of the patient's choice. An employee not
13 designated to provide assistance in enrollment would be permitted
14 to refer the patient to an appropriate staff member or entity to
15 continue the enrollment process.

16 If the patient's request for care does not occur during the open
17 enrollment period, if the designated employee is not registered or
18 permitted by law or is otherwise unable to provide such assistance,
19 if the patient chooses not to purchase insurance through the
20 Federally-Facilitated Marketplace, or if the patient does not obtain
21 insurance through the Marketplace for any other reason, the
22 designated employee would provide the patient, family member, or
23 guardian with information about resources available to assist the
24 patient in navigating the Marketplace website, purchasing health
25 insurance through the Marketplace, and the dates of the next open
26 enrollment period.

27 If it is determined during the patient's discharge interview that
28 the patient is eligible for New Jersey FamilyCare, the designated
29 employee would assist the patient in beginning enrollment into the
30 FamilyCare program using the State's presumptive eligibility
31 process. If the employee is unable to assist in the enrollment
32 process, or if the patient does not wish to begin the process at the
33 time of the interview, the employee would provide the patient with
34 the appropriate information on the FamilyCare program.