

# SENATE, No. 790

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**SYNOPSIS**

Requires DOH to license certain qualifying hospitals providing elective angioplasty services.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the licensure of certain qualifying hospitals and  
2 supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 “Bona fide shared governance” means a financial, operational,  
9 and clinical overlap between a mentor hospital and its mentee  
10 hospital, both of which are part of the same health care network. An  
11 affiliation agreement between a mentor hospital and a mentee  
12 hospital shall not constitute shared governance unless the mentee  
13 hospital is a fully integrated part of the mentor hospital’s system.

14 “Mentee hospital” means an acute care hospital that:

15 a. is part of a health care network and does not perform on-site  
16 coronary artery bypass graft (CABG) surgical procedures but  
17 receives such surgical back-up from its mentor hospital;

18 b. has not been licensed by the Department of Health to  
19 participate in the Cardiovascular Patient Outcomes Research Team  
20 Elective Angioplasty Study (C-PORT-E) clinical trial; and

21 c. maintains bona fide shared governance with a mentor  
22 hospital.

23 “Mentor hospital” means an acute care hospital located within  
24 New Jersey that:

25 a. is part of a health care network and holds an unconditional  
26 license to perform cardiac surgery issued by the Department of  
27 Health;

28 b. meets the minimum 350 open heart surgery operation per  
29 year requirement set forth in N.J.A.C. 8:43G-7.2;

30 c. reports quality data to the Department of Health; and

31 d. provides on-site coronary artery bypass graft surgical backup  
32 to its healthcare network hospitals, including its mentee hospital,  
33 over which it assumes primary, exclusive, and ultimate  
34 responsibility for the oversight of all clinical, programmatic,  
35 staffing, and volume requirements, as well as quality outcomes in  
36 the performance of elective percutaneous coronary intervention  
37 (PCI) by the mentee hospital.

38

39 2. A general hospital may apply to the Commissioner of Health  
40 for a license to provide elective angioplasty services in the State.  
41 The commissioner shall issue a license to any hospital that:

42 a. is not currently licensed as a cardiac surgery facility;

43 b. holds licensure to participate in the Atlantic C-PORT-E  
44 clinical trial as of the effective date of this act or is a mentee

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 hospital that is licensed by the department as a primary  
2 percutaneous coronary intervention provider;

3 c. demonstrates the ability to perform a minimum of 200  
4 elective angioplasty procedures per year, with each interventional  
5 cardiologist performing at least 75 elective angioplasty procedures  
6 per year;

7 d. establishes a transportation plan and protocol, which has  
8 been approved by the commissioner, for patients who require  
9 transportation to, and receipt at, a licensed cardiac surgery center in  
10 the event the patient experiences a cardiac emergency or procedure-  
11 related complications; and

12 e. meets such other requirements as the commissioner may  
13 establish by regulation.

14

15 3. The Commissioner of Health may adopt rules and  
16 regulations, in accordance with the "Administrative Procedure Act,"  
17 P.L.1968, c.410 (C.52:14B-1 et seq.), as the commissioner deems  
18 necessary to effectuate the purposes of this act.

19

20 4. This act shall take effect immediately.

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#### 23 STATEMENT

24

25 This bill requires the Commissioner of Health to issue a license  
26 to certain general hospitals to perform elective angioplasty  
27 procedures. Specifically, the legislation would permit the  
28 Commissioner of Health to license hospitals currently participating  
29 in the Atlantic Cardiovascular Patient Outcomes Research Team  
30 Elective Angioplasty Study (C-PORT-E) clinical trial or a mentee  
31 hospital that is licensed as a primary percutaneous coronary  
32 intervention provider and maintains a shared governance with a  
33 mentor hospital.

34 Angioplasty is a procedure used to widen clogged arteries and  
35 help remove blockages, restoring blood flow and potentially  
36 reducing the risk of an adverse cardiac event. In 2012, the C-  
37 PORT-E study concluded that there is no increased risk of death or  
38 complications from an elective angioplasty performed at a facility  
39 that does not have cardiac surgery capabilities, as compared with a  
40 licensed cardiac surgery facility.

41 It is the sponsor's belief that expanding elective angioplasty  
42 licensure to hospitals currently enrolled in the C-PORT-E study and  
43 hospitals in the same healthcare network as a licensed cardiac  
44 surgery facility advances the access to care for New Jersey  
45 consumers and the delivery of high quality care.