

**SENATE, No. 1150**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**  
**Senator M. TERESA RUIZ**  
**District 29 (Essex)**

**SYNOPSIS**

Requires distribution of family leave informational materials to certain patients.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning family leave, supplementing Title 26 of the  
2 Revised Statutes, and amending P.L.2014, c.68.

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

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7 1. (New section) The Department of Health, in consultation  
8 with the Department of Labor, shall develop a pamphlet and other  
9 informational materials for distribution to patients by health care  
10 professionals and licensed health care facilities concerning the  
11 availability of programs developed pursuant to the "Family Leave  
12 Act," P.L.1989, c.261 (C.34:11B-1 et seq.). The department shall  
13 make the pamphlet and other informational materials available to all  
14 health care professionals and licensed health care facilities, as well  
15 as on its Internet website, and shall distribute the pamphlet to health  
16 care professionals and health care facilities that provide maternity  
17 care services. Health care professionals and licensed health care  
18 facilities that provide maternity care services shall make the  
19 pamphlets and informational materials available in patient waiting  
20 areas and shall distribute the pamphlet and informational materials  
21 to maternity care patients upon discharge.

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23 2. Section 5 of P.L.2014, c.68 (C.26:2H-5.28) is amended to  
24 read as follows:

25 5. a. As soon as possible prior to a patient's discharge from a  
26 hospital to the patient's residence, the hospital shall consult with the  
27 designated caregiver and issue a discharge plan that describes a  
28 patient's after-care assistance needs, if any, at the patient's  
29 residence. The consultation and issuance of a discharge plan shall  
30 occur on a schedule that takes into consideration the severity of the  
31 patient's condition, the setting in which care is to be delivered, and  
32 the urgency of the need for caregiver services. In the event the  
33 hospital is unable to contact the designated caregiver, the lack of  
34 contact shall not interfere with, delay, or otherwise affect the  
35 medical care provided to the patient, or an appropriate discharge of  
36 the patient. The hospital shall promptly document the attempt in  
37 the patient's medical record. At a minimum, the discharge plan  
38 shall include:

39 (1) The name and contact information of the caregiver  
40 designated under this act;

41 (2) A description of all after-care assistance tasks necessary to  
42 maintain the patient's ability to reside at home; **[and]**

43 (3) Contact information for any health care, community  
44 resources, and long-term services and supports necessary to

**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 successfully carry out the patient's discharge plan, and contact  
2 information for a hospital employee who can respond to questions  
3 about the discharge plan after the instruction provided pursuant to  
4 subsection b. of this section ; and

5 (4) A copy of the pamphlet and other informational materials  
6 prepared pursuant to section 1 of P.L. , c. (C. ) (pending  
7 before the Legislature as this bill) concerning the availability of  
8 programs developed pursuant to the "Family Leave Act," P.L.1989,  
9 c.261 (C.34:11B-1 et seq.) .

10 b. The hospital issuing the discharge plan must provide  
11 caregivers with instructions in all after-care assistance tasks  
12 described in the discharge plan. Training and instructions for  
13 caregivers may be conducted in person or through video  
14 technology, at the discretion of the caregiver. Any training or  
15 instructions provided to a caregiver shall be provided in non-  
16 technical language, to the extent possible. At a minimum, this  
17 instruction shall include:

18 (1) A live or recorded demonstration of the tasks performed by  
19 an individual designated by the hospital, who is authorized to  
20 perform the after-care assistance task, and is able to perform the  
21 demonstration in a culturally-competent manner and in accordance  
22 with the hospital's requirements to provide language access services  
23 under State and federal law;

24 (2) An opportunity for the caregiver to ask questions about the  
25 after-care assistance tasks; and

26 (3) Answers to the caregiver's questions provided in a  
27 culturally-competent manner and in accordance with the hospital's  
28 requirements to provide language access services under State and  
29 federal law.

30 c. Any instruction required under this act shall be documented  
31 in the patient's medical record, including, at a minimum, the date,  
32 time, and contents of the instruction.

33 (cf: P.L.2014, c.68, s.5)  
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35 3. The Department of Health shall adopt, pursuant to the  
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
37 seq.), rules or regulations necessary to effectuate the provisions of  
38 this act, including rules and regulations requiring licensed health  
39 care facilities providing maternity care services to provide  
40 maternity patients with the pamphlet and other informational  
41 materials prepared pursuant to section 1 of P.L. , c. (C. )  
42 (pending before the Legislature as this bill) upon discharge.  
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44 4. This act shall take effect 180 days after the date of  
45 enactment.

STATEMENT

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This bill requires the Department of Health to develop, in consultation with the Department of Labor, a pamphlet and informational materials for patients concerning the availability of programs developed pursuant to the “Family Leave Act,” P.L.1989, c.261 (C.34:11B-1 et seq.). The department is to make the pamphlet and informational materials available to all health care professionals and licensed health care facilities, as well as through its Internet website, and will be required to distribute the pamphlet and informational materials to health care professionals and health care facilities that provide maternity care services. Health care professionals and facilities providing maternity care services will be required to make the pamphlet and informational materials available in their patient waiting areas, and to distribute the pamphlet and informational materials to maternity care patients upon discharge.

The bill additionally requires hospitals providing a discharge plan to a patient caregiver pursuant to section 5 of P.L.2014, c.68 (C.26:2H-5.28) to include a copy of the pamphlet and informational materials in with the discharge plan.