

ASSEMBLY, No. 397

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman HECK

1 AN ACT requiring health insurers to provide coverage for individuals
2 with Down syndrome and supplementing P.L.1938, c.366
3 (C.17:48-1 et seq.), P.L.1940, c.74 (C.17:48A-1 et seq.), P.L.1985,
4 c.236 (C.17:48E-1 et seq.), chapter 26 of Title 17B of the New
5 Jersey Statutes, chapter 27 of Title 17B of the New Jersey Statutes,
6 and P.L.1973, c.337 (C.26:2J-1 et seq.).

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8 **BE IT ENACTED** by the Senate and General Assembly of the State
9 of New Jersey:

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11 1. No group or individual hospital service corporation contract
12 providing hospital or medical expense benefits shall be delivered,
13 issued, executed or renewed in this State, or approved for issuance or
14 renewal in this State by the Commissioner of Insurance on or after the
15 effective date of this act, unless it provides coverage to a person with
16 Down syndrome. Benefits shall be provided to individuals with Down
17 syndrome to the same extent as they are provided to other individuals
18 under the contract.

19 This section shall apply to all hospital service corporation contracts
20 in which the hospital service corporation has reserved the right to
21 change the premium.

22

23 2. No group or individual medical service corporation contract
24 providing hospital or medical expense benefits shall be delivered,
25 issued, executed or renewed in this State, or approved for issuance or
26 renewal in this State by the Commissioner of Insurance on or after the
27 effective date of this act, unless it provides coverage to a person with
28 Down syndrome. Benefits shall be provided to individuals with Down
29 syndrome to the same extent as they are provided to other individuals
30 under the contract.

31 This section shall apply to all medical service corporation contracts
32 in which the medical service corporation has reserved the right to
33 change the premium.

34

35 3. No group or individual health service corporation contract

1 providing hospital or medical expense benefits shall be delivered,
2 issued, executed or renewed in this State, or approved for issuance or
3 renewal in this State by the Commissioner of Insurance on or after the
4 effective date of this act, unless it provides coverage to a person with
5 Down syndrome. Benefits shall be provided to individuals with Down
6 syndrome to the same extent as they are provided to other individuals
7 under the contract.

8 This section shall apply to all health service corporation contracts
9 in which the health service corporation has reserved the right to
10 change the premium.

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12 4. No individual health insurance policy providing hospital or
13 medical expense benefits shall be delivered, issued, executed or
14 renewed in this State, or approved for issuance or renewal in this State
15 by the Commissioner of Insurance on or after the effective date of this
16 act, unless it provides coverage to a person with Down syndrome.
17 Benefits shall be provided to individuals with Down syndrome to the
18 same extent as they are provided to other individuals under the policy.

19 This section shall apply to all individual health insurance policies in
20 which the insurer has reserved the right to change the premium.

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22 5. No group health insurance policy providing hospital or medical
23 expense benefits shall be delivered, issued, executed or renewed in this
24 State, or approved for issuance or renewal in this State by the
25 Commissioner of Insurance on or after the effective date of this act,
26 unless it provides coverage to a person with Down syndrome.
27 Benefits shall be provided to individuals with Down syndrome to the
28 same extent as they are provided to other individuals under the policy.

29 This section shall apply to all group health insurance policies in
30 which the insurer has reserved the right to change the premium.

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32 6. Notwithstanding any provision of law to the contrary, a
33 certificate of authority to establish and operate a health maintenance
34 organization in this State shall not be issued or continued by the
35 Commissioner of Health on or after the effective date of this act if the
36 health maintenance organization unless it provides health care services
37 to a person with Down syndrome. Health care services shall be
38 provided by a health maintenance organization to a person with Down
39 syndrome to the same extent as any other person covered under the
40 plan.

41 This section shall apply to all health maintenance organizations in
42 which the right to change the enrollee charge has been reserved.

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44 7. This act shall take effect on the 90th day after enactment.

1 STATEMENT

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3 This bill requires hospital service corporations (Blue Cross),
4 medical service corporations (Blue Shield), health service corporations
5 (Blue Cross and Blue Shield of New Jersey), commercial insurers and
6 health maintenance organizations to provide coverage to individuals
7 with Down syndrome.

8 Currently, private insurers and health maintenance organizations are
9 not required to provide coverage on an individual basis to persons
10 with Down syndrome and generally do not do so. While Blue Cross
11 and Blue Cross of New Jersey, as an insurer of last resort, is required
12 to provide such coverage, the coverage provided is limited in nature,
13 and the cost is relatively high.

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18 Requires health insurers to provide coverage to individuals with Down
19 syndrome.