

ASSEMBLY, No. 1995

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1996

By Assemblyman COHEN

1 AN ACT concerning health maintenance organizations and
2 supplementing P.L.1973, c.337 (C.26:2J-1 et seq.).

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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. a. Notwithstanding the provisions of any law to the contrary, if
8 an enrollee is treated for a life-threatening condition by a physician
9 who is employed by or under contract with a health maintenance
10 organization at the time the treatment for the life-threatening condition
11 is initiated, the evidence of coverage shall provide: (1) that the
12 enrollee may continue to be treated by that physician for the same
13 episode of a life-threatening condition should the physician no longer
14 be employed by or under contract with the health maintenance
15 organization; and (2) that health care services shall be provided by the
16 health maintenance organization for the treatment of that
17 life-threatening condition by that physician to the same extent as such
18 services were provided while the physician was employed by or under
19 contract with the health maintenance organization.

20 b. For purposes of this act "treatment for a life-threatening
21 condition" means those health care services that are provided after the
22 onset of a medical condition that manifests itself by symptoms of
23 sufficient severity, including severe pain, that the absence of medical
24 attention could reasonably be expected by a prudent person, who
25 possesses an average knowledge of health and medicine, to result in:

26 (1) placing the patient's health in serious jeopardy;

27 (2) serious impairment to bodily functions; or

28 (3) serious dysfunction of any bodily organ or part.

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30 2. The Commissioner of Health, in consultation with the
31 Commissioner of Insurance, shall promulgate rules and regulations
32 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
33 (C.52:14B-1 et seq.) as may be necessary to effectuate the purposes
34 of this act.

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36 3. This act shall take effect immediately.

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STATEMENT

This bill permits an enrollee in a health maintenance organization that has begun treatment for a life-threatening condition with a physician who is employed by or under contract with a health maintenance organization at the time the treatment is initiated to continue to be treated by that physician for the life-threatening condition should the physician no longer be employed by or under contract with the health maintenance organization. The bill provides that under such circumstances, health care services shall be provided to the same extent as when the physician was employed by or under contract with the health maintenance organization.

Requires HMOs to permit enrollees to continue to be treated by a physician no longer employed by or under contract with the HMO under certain circumstances.