

ASSEMBLY, No. 2593

STATE OF NEW JERSEY

INTRODUCED DECEMBER 16, 1996

By Assemblyman KRAMER and Assemblywoman WRIGHT

1 AN ACT concerning maternity benefits in the State Health Benefits
2 Program and supplementing P.L.1961, c.49 (C.52:14-17.25 et
3 seq.).
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. The State Health Benefits Commission shall ensure that every
9 contract purchased by the commission on or after the effective date of
10 this act that provides obstetrical benefits shall provide coverage for a
11 minimum of 48 hours of inpatient care following a vaginal delivery and
12 a minimum of 96 hours of inpatient care following a cesarean section
13 for a mother and her newly born child in a health care facility licensed
14 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.). The contract shall
15 also provide that upon receipt of notification that the woman will be
16 or has been admitted to an inpatient facility, the carrier shall
17 preauthorize inpatient care for the woman and her newly born child for
18 the 48-hour or 96-hour period, as applicable. The preauthorization
19 requirement shall remain in effect until the provisions of Pub.L.104-
20 204, the "Newborns' and Mothers' Health Protection Act of 1996,"
21 become operative.

22 b. Notwithstanding the provisions of subsection a. of this section,
23 a contract that provides coverage for post-delivery care to a mother
24 and her newly born child in the home shall not be required to provide
25 for a minimum of 48 hours and 96 hours, respectively, of inpatient
26 care unless such inpatient care is determined to be medically necessary
27 by the attending physician or is requested by the mother; except that,
28 the requirement in subsection a. of this section to preauthorize
29 inpatient care for the full 48-hour or 96-hour period, as applicable,
30 also shall apply to this subsection. For the purposes of this section,
31 attending physician shall include the attending obstetrician,
32 pediatrician or other physician attending the mother or newly born
33 child.

34 c. The commission shall provide notice to employees regarding the
35 coverage required by this section in accordance with this subsection
36 and regulations promulgated by the Commissioner of Health and
37 Senior Services pursuant to the "Administrative Procedure Act,"

1 P.L.1968, c.410 (C.52:14B-1 et seq.). The notice shall be in writing
2 and prominently positioned in any literature or correspondence and
3 shall be transmitted at the earliest of: (1) the next mailing to the
4 employee; (2) the yearly informational packet sent to the employee; or
5 (3) January 1, 1997. The commission shall also ensure that the carrier
6 under contract with the commission, upon receipt of information that
7 a covered person is pregnant, shall promptly notify that person of the
8 coverage required by this section.

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10 2. This act shall take effect immediately.

11 12 13 STATEMENT

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15 This bill requires the State Health Benefits Commission to provide
16 the same maternity benefits to persons covered under the State Health
17 Benefits Program as is required for other insurers and health
18 maintenance organizations under P.L.1995, c.138.

19 The bill requires that coverage be provided for a minimum of 48
20 hours of inpatient care following a vaginal delivery and a minimum of
21 96 hours of inpatient care following a cesarean section for a mother
22 and her newly born child in a health care facility licensed pursuant to
23 P.L.1971, c.136 (C.26:2H-1 et seq.). The bill also provides that upon
24 receipt of notification that the woman will be or has been admitted to
25 an inpatient facility, the carrier shall preauthorize inpatient care for the
26 woman and her newly born child for the 48-hour or 96-hour period, as
27 applicable. This preauthorization requirement shall remain in effect
28 until the provisions of Pub.L.104-204, the "Newborns' and Mothers'
29 Health Protection Act of 1996" become operative.

30 The bill further provides that a contract that provides coverage for
31 post-delivery care to a mother and her newly born child in the home
32 shall not be required to provide for a minimum of 48 hours and 96
33 hours, respectively, of inpatient care unless such inpatient care is
34 determined to be medically necessary by the attending physician or is
35 requested by the mother. Attending physician shall include the
36 attending obstetrician, pediatrician or other physician attending the
37 mother or newly born child.

38 Finally, the bill requires the commission to notify employees
39 regarding this coverage in any literature or correspondence sent to the
40 employee and requires that the information shall be transmitted at the
41 earliest of: (1) the next mailing to the employee; (2) the yearly
42 informational packet sent to the employee; or (3) January 1, 1997.

43 The commission shall also ensure that when the carrier receives
44 information that a covered person is pregnant, the carrier shall
45 promptly notify that person of the maternity benefits required by this
46 bill.

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3 Requires State Health Benefits Program to provide certain maternity
4 benefits.