

[First Reprint]
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:

7
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,

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted January 23, 1997.

1 pediatrician or other physician attending the mother or newly born
2 child.

3 c. The commission shall provide notice to employees regarding the
4 coverage required by this section in accordance with this subsection
5 and regulations promulgated by the Commissioner of Health and
6 Senior Services pursuant to the "Administrative Procedure Act,"
7 P.L.1968, c.410 (C.52:14B-1 et seq.). The notice shall be in writing
8 and prominently positioned in any literature or correspondence and
9 shall be transmitted at the ¹[earliest] earlier ¹ of ¹[:]¹ (1) the next
10 mailing to the employee ¹[:]¹ or ¹ (2) the ¹next¹ yearly ¹distribution of
11 an¹ informational packet ¹[sent]¹ to the employee ¹[:]¹ or
12 (3) January 1, 1997]¹. The commission shall also ensure that the
13 carrier under contract with the commission, upon receipt of
14 information that a covered person is pregnant, shall promptly notify
15 that person of the coverage required by this section.

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17 2. This act shall take effect immediately.

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23 Requires State Health Benefits Program to provide certain maternity
benefits.