

ASSEMBLY CONCURRENT RESOLUTION No. 105

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1996

By Assemblymen IMPREVEDUTO, DORIA, Kelly and DiGaetano

1 A CONCURRENT RESOLUTION proposing to amend Article I of the
2 Constitution of the State of New Jersey by adding a new paragraph 23
3 thereto.

4

5 BE IT RESOLVED by the General Assembly of the State of New Jersey
6 (the Senate concurring):

7

8 1. The following proposed amendment to the Constitution of the State of
9 New Jersey is hereby agreed to:

10

11

PROPOSED AMENDMENT

12

13 Amend Article I by adding a new paragraph 23 as follows:

14 23. The right of every person to the free, full and absolute choice in the
15 selection of licensed health care providers shall not be denied or limited by law
16 or contract, provided that this right shall not be construed to limit the authority
17 of the State to regulate health care providers to ensure the preservation of the
18 health, safety and welfare of the public.

19

20 2. When this proposed amendment to the Constitution is finally agreed to
21 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
22 to the people at the next general election occurring more than three months
23 after the final agreement and shall be published at least once in at least one
24 newspaper of each county designated by the President of the Senate, the
25 Speaker of the General Assembly and the Secretary of State, not less than
26 three months prior to the general election.

27

28 3. This proposed amendment to the Constitution shall be submitted to the
29 people at that election in the following manner and form:

30 There shall be printed on each official ballot to be used at the general
31 election, the following:

32 a. In every municipality in which voting machines are not used, a legend
33 which shall immediately precede the question, as follows:

34 If you favor the proposition printed below make a cross (X), plus (+) or
35 check (T) in the square opposite the word 'Yes.' If you are opposed thereto

1 make a cross (X), plus (+) or check (T) in the square opposite the word 'No.'

2 b. In every municipality the following question:

3

4 5 6 7 8 9 10 11 12 13 14 15 16	YES	<p style="text-align: center;">GUARANTEE OF RIGHT TO CHOOSE HEALTH CARE PROVIDER</p> <p>Shall the amendment to Article I of the State Constitution, which provides every person with the right to the free, full and absolute choice in selecting licensed health care providers, which right shall not be limited by law or contract, except that this right shall not be construed to limit the authority of the State to regulate health care providers to ensure the preservation of the health, safety and welfare of the public, be approved?</p>
17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	NO	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This constitutional amendment states that no State law or contract entered into under State law shall deny or limit the right of a person to the free, full and absolute choice in selecting licensed health care providers. Health care providers include, for example, physicians, dentists, hospitals, pharmacies and nursing homes. The amendment also states, however, that the guarantee of this right does not limit the authority of the State to regulate health care providers to preserve the health safety and welfare of the public.</p>

32

33

34

STATEMENT

35

36 The proposed constitutional amendment guarantees the right of every
 37 person to the free, full and absolute choice in the selection of licensed health
 38 care providers by providing that this constitutional right shall not be denied or
 39 limited by law or contract. The amendment also states, however, that this
 40 right shall not be construed to limit the authority of the State to regulate health
 41 care providers to ensure the preservation of the health, safety and welfare of
 42 the public.

1

2

3 Proposes amendment to State Constitution to guarantee right of free choice

4 in selection of health care provider.