

P.L. 1997, CHAPTER 94, *approved May 8, 1997*  
Assembly Substitute for  
Senate, No. 1705 and Assembly, No. 2651

1 **AN ACT** concerning benefits related to mastectomies in the State  
2 Health Benefits Program and supplementing P.L.1961, c.49  
3 (C.52:14-17.25).

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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. 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 hospital or medical expense benefits, shall  
11 provide coverage for a minimum of 72 hours of inpatient care  
12 following a modified radical mastectomy and a minimum of 48 hours  
13 of inpatient care following a simple mastectomy. The contract shall  
14 also provide that a carrier shall not require a health care provider to  
15 obtain authorization from the carrier for prescribing 72 or 48 hours,  
16 as appropriate, of inpatient care as provided for in this section.

17 The provisions of this section shall not be construed: to require a  
18 patient to receive inpatient care for 72 or 48 hours, as appropriate, if  
19 the patient in consultation with the patient's physician determines that  
20 a shorter length of stay is medically appropriate; or to relieve a patient  
21 or a patient's physician, if appropriate, of any notification requirements  
22 to the carrier under the contract.

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24 2. This act shall take effect immediately.

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STATEMENT

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28 This Assembly substitute requires the State Health Benefits  
29 Program to provide coverage for a minimum of 72 hours of inpatient  
30 care following a modified radical mastectomy and a minimum of 48  
31 hours of inpatient care following a simple mastectomy. The substitute  
32 also provides that a carrier under the program shall not require a  
33 health care provider to obtain authorization from the carrier for  
34 prescribing 72 or 48 hours, as appropriate, of inpatient care.

1       The substitute also provides that the provisions of the substitute  
2 shall not be construed to: require a patient to receive inpatient care for  
3 72 or 48 hours, as appropriate, if the patient in consultation with the  
4 patient's physician determines that a shorter length of stay is medically  
5 appropriate; or relieve a patient or physician from any insurer  
6 notification requirements.

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12 Requires State Health Benefits Program to provide minimum inpatient  
care for certain breast surgeries.