

ASSEMBLY RESOLUTION No. 50

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 5, 1996

By Assemblywomen WEINBERG, HECK, Buono and Cruz-Perez

- 1 AN ASSEMBLY RESOLUTION memorializing Congress to enact legislation  
2 establishing a uniform standard that would require all health benefits plans  
3 to provide coverage for a minimum of 48 hours of in-patient care following  
4 a vaginal delivery and a minimum of 96 hours of in-patient care following  
5 a cesarean section for a mother and her newly born child in a health care  
6 facility if such in-patient care is deemed medically necessary by the  
7 attending physician or is requested by the mother.  
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- 9 WHEREAS, currently there is no uniform standard with respect to health  
10 benefits coverage for in-patient care for a mother and her newly born  
11 child; and
- 12 WHEREAS, many health benefits plans have reduced health benefits coverage  
13 to 24 hours or less of in-patient care following a vaginal delivery and 48  
14 hours or less of in-patient care following a cesarean section for a mother  
15 and her newly born child in a health care facility; and
- 16 WHEREAS, many doctors, nurses and mothers contend that the reduced  
17 coverage, in many cases, does not provide sufficient time to perform  
18 necessary tests or to discover potential health problems in newborns and  
19 their mothers and may therefore endanger their lives; and
- 20 WHEREAS, many types of health benefits plans such as self-funded plans,  
21 which are regulated by federal law, and other plans regulated by federal  
22 law, including Medicaid, Medicare and CHAMPUS (Civilian Hospital and  
23 Medical Program of the Uniformed Services), are exempt from the recently  
24 enacted State legislation which requires health insurers to provide  
25 coverage for a minimum of 48 hours of in-patient care following a vaginal  
26 delivery and a minimum of 96 hours of in-patient care following a cesarean  
27 section for a mother and her newly born child in a health care facility if  
28 deemed medically necessary by the attending physician or requested by the  
29 mother; and
- 30 WHEREAS, policies, contracts and plans that are issued by out-of-State  
31 insurers or by out-of-State trusts or associations are also exempt from  
32 State regulation; and
- 33 WHEREAS, the passage of federal legislation is necessary to correct existing  
34 inequities in coverages and to ensure that all health benefits plans provide

1 coverage for a minimum of 48 hours of in-patient care following a vaginal  
2 delivery and a minimum of 96 hours of in-patient care following a cesarean  
3 section for a mother and her newly born child in a health care facility if  
4 such in-patient care is deemed medically necessary by the attending  
5 physician or is requested by the mother; now, therefore,

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7 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

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9 1. The Congress of the United States is respectfully memorialized to enact  
10 legislation establishing a uniform standard that would require all health benefits  
11 plans to provide a minimum of 48 hours of in-patient care following a vaginal  
12 delivery and a minimum of 96 hours of in-patient care following a cesarean  
13 section for a mother and her newly born child in a health care facility if such in-  
14 patient care is deemed medically necessary by the attending physician or is  
15 requested by the mother.

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17 2. Duly authenticated copies of this resolution shall be transmitted to the  
18 President of the United States Senate, the Speaker of the United States House  
19 of Representatives, and every member of Congress from this State.

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21 3. This resolution shall take effect immediately.

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24 **STATEMENT**

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26 This resolution memorializes Congress to enact legislation establishing a  
27 uniform standard that would require all health benefits plans to provide a  
28 minimum of 48 hours in-patient care following a vaginal delivery and 96 hours  
29 of in-patient care following a cesarean section for a mother and her newly  
30 born child in a health care facility if such in-patient care is deemed medically  
31 necessary by the attending physician or is requested by the mother.

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36 Memorializes Congress to establish uniform standard of in-patient care for  
37 for mother and newly born child.