

SENATE, No. 603

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator SINAGRA

1 AN ACT concerning health maintenance organizations and  
2 supplementing P.L.1973, c.337 (C.26:2J-1 et seq.).

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. a. Notwithstanding the provisions of any law to the contrary, if  
8 an enrollee is receiving post-operative follow-up, oncological  
9 treatment, psychiatric treatment or obstetrical care by a physician who  
10 is employed by or under contract with a health maintenance  
11 organization at the time the treatment is initiated, the evidence of  
12 coverage shall provide that:

13 (1) at the option of the enrollee, the enrollee may continue to be  
14 treated by that physician for the duration of the treatment, for a period  
15 not to exceed one year, in the case of post-operative follow-up,  
16 oncological treatment and psychiatric treatment, and, in the case of  
17 obstetrical care, through the duration of a pregnancy, including  
18 childbirth, in the event that the physician no longer is employed by or  
19 under contract with the health maintenance organization; and

20 (2) health care services shall be provided by the health maintenance  
21 organization for the treatment of the conditions provided in this  
22 section to the same extent as such services were provided while the  
23 physician was employed by or under contract with the health  
24 maintenance organization. Reimbursement for the health care services  
25 shall be pursuant to the same fee schedule used to reimburse for the  
26 services when the physician was employed by or under contract with  
27 the health maintenance organization.

28 b. The health maintenance organization shall not be liable for any  
29 inappropriate treatment provided to the enrollee by a physician who is  
30 no longer under contract with the health maintenance organization.

31 c. The provisions of this act shall not apply to health care services  
32 provided by a physician who is the subject of disciplinary action by the  
33 State Board of Medical Examiners.

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35 2. This act shall take effect immediately.

## STATEMENT

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This bill permits an enrollee in a health maintenance organization who is receiving post-operative follow-up care, oncological treatment, psychiatric treatment or obstetrical care from a physician who is employed by or under contract with a health maintenance organization when the treatment or care is initiated, to continue to be treated by that physician for the duration of the treatment, for a period not to exceed one year or in the case of a pregnancy, through the duration of the pregnancy, including childbirth, should the physician no longer be employed by or under contract with the health maintenance organization. The health care services shall be provided to the same extent as when the physician was employed by or under contract with the health maintenance organization.

The bill also provides that:

- , reimbursement for the health care services shall be pursuant to the same fee schedule used to reimburse for the services when the physician was employed by or under contract with the health maintenance organization;
- , the health maintenance organization shall not be liable for any inappropriate treatment provided to the enrollee by a physician who is no longer under contract with the health maintenance organization; and
- , the provisions of the bill shall not apply to health care services provided by a physician who is the subject of a disciplinary action by the State Board of Medical Examiners.

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Requires HMOs to permit enrollees to continue treatment for limited time with a physician no longer employed by or under contract with the HMO for certain health conditions.