

SENATE, No. 1361

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Senators INVERSO and MATHEUSSEN

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:

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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.).

15 b. Notwithstanding the provisions of subsection a. of this section,
16 a contract that provides coverage for post-delivery care to a mother
17 and her newly born child in the home shall not be required to provide
18 for a minimum of 48 hours and 96 hours, respectively, of inpatient
19 care unless such inpatient care is determined to be medically necessary
20 by the attending physician or is requested by the mother. For the
21 purposes of this section, attending physician shall include the attending
22 obstetrician, pediatrician or other physician attending the mother or
23 newly born child.

24 c. The commission shall provide notice to employees regarding the
25 coverage required by this section in accordance with this subsection
26 and regulations promulgated by the Commissioner of Health pursuant
27 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
28 et seq.). The notice shall be in writing and prominently positioned in
29 any literature or correspondence and shall be transmitted at the earliest
30 of: (1) the next mailing to the employee; (2) the yearly informational
31 packet sent to the employee; or (3) January 1, 1997. The commission
32 shall also ensure that the carrier under contract with the commission,
33 upon receipt of information that a covered person is pregnant, shall
34 promptly notify that person of the coverage required by this section.

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36 2. This act shall take effect immediately.

STATEMENT

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3 This bill requires the State Health Benefits Commission to provide
4 the same maternity benefits to persons covered under the State Health
5 Benefits Program as is required for other insurers and health
6 maintenance organizations under P.L.1995, c.138.

7 The bill requires that coverage be provided for a minimum of 48
8 hours of inpatient care following a vaginal delivery and a minimum of
9 96 hours of inpatient care following a cesarean section for a mother
10 and her newly born child in a health care facility licensed pursuant to
11 P.L.1971, c.136 (C.26:2H-1 et seq.).

12 The bill further provides that a contract that provides coverage for
13 post-delivery care to a mother and her newly born child in the home
14 shall not be required to provide for a minimum of 48 hours and 96
15 hours, respectively, of inpatient care unless such inpatient care is
16 determined to be medically necessary by the attending physician or is
17 requested by the mother. Attending physician shall include the
18 attending obstetrician, pediatrician or other physician attending the
19 mother or newly born child.

20 Finally, the bill requires the commission to notify employees
21 regarding this coverage in any literature or correspondence sent to the
22 employee and requires that the information shall be transmitted at the
23 earliest of: (1) the next mailing to the employee; (2) the yearly
24 informational packet sent to the employee; or (3) January 1, 1997.
25 The commission shall also ensure that when the carrier receives
26 information that a covered person is pregnant, the carrier shall
27 promptly notify that person of the maternity benefits required by this
28 bill.

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33 Requires State Health Benefits Program to provide certain maternity
34 benefits.