

[First Reprint]
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.).
4

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.). ¹The contract shall
15 also provide that upon receipt of notification that the woman will be
16 or has been admitted to an inpatient facility, the carrier shall
17 preauthorize inpatient care for the woman and her newly born child for
18 the 48-hour or 96-hour period, as applicable. The preauthorization
19 requirement shall remain in effect until the provisions of Pub.L.104-
20 204, the "Newborns' and Mothers' Health Protection Act of 1996,"
21 become operative.¹

22 b. Notwithstanding the provisions of subsection a. of this section,
23 a contract that provides coverage for post-delivery care to a mother
24 and her newly born child in the home shall not be required to provide
25 for a minimum of 48 hours and 96 hours, respectively, of inpatient
26 care unless such inpatient care is determined to be medically necessary
27 by the attending physician or is requested by the mother¹; except that,
28 the requirement in subsection a. of this section to preauthorize
29 inpatient care for the full 48-hour or 96-hour period, as applicable,
30 also shall apply to this subsection¹. For the purposes of this section,
31 attending physician shall include the attending obstetrician,

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted November 7, 1996.

1 pediatrician or other physician attending the mother or newly born
2 child.

3 c. The commission shall provide notice to employees regarding the
4 coverage required by this section in accordance with this subsection
5 and regulations promulgated by the Commissioner of Health ¹and
6 Senior Services¹ pursuant to the "Administrative Procedure Act,"
7 P.L.1968, c.410 (C.52:14B-1 et seq.). The notice shall be in writing
8 and prominently positioned in any literature or correspondence and
9 shall be transmitted at the earliest of: (1) the next mailing to the
10 employee; (2) the yearly informational packet sent to the employee; or
11 (3) January 1, 1997. The commission shall also ensure that the carrier
12 under contract with the commission, upon receipt of information that
13 a covered person is pregnant, shall promptly notify that person of the
14 coverage required by this section.

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16 2. This act shall take effect immediately.

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21 Requires State Health Benefits Program to provide certain maternity
22 benefits.