

[First Reprint]
SENATE, No. 1561

STATE OF NEW JERSEY

INTRODUCED OCTOBER 3, 1996

By Senator SINGER

1 AN ACT requiring health insurance benefits for expenses incurred for
2 ¹certain¹ bone density tests ¹[in connection with the diagnosis or
3 treatment of osteoporosis]¹ and supplementing P.L.1938, c.366
4 (C.17:48-1 et seq.), P.L.1940, c.74 (C.17:48A-1 et seq.), P.L.1985,
5 c.236 (C.17:48E-1 et seq.), chapters 26 and 27 of Title 17B of the
6 New Jersey Statutes and P.L.1973, c.337 (C.26:2J-1 et seq.).
7

8 **BE IT ENACTED** by the Senate and General Assembly of the State
9 of New Jersey:

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11 1. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
12 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), ¹[every] no¹
13 group or individual hospital service corporation contract providing
14 hospital or medical expense benefits ¹shall be¹delivered, issued,
15 executed or renewed in this State, or approved for issuance or renewal
16 in this State by the Commissioner of Banking and Insurance on or after
17 the effective date of this act¹[, shall provide benefits for bone density
18 tests which are performed in connection with the diagnosis or
19 treatment of osteoporosis] unless the hospital service corporation
20 develops guidelines which establish the hospital service corporation's
21 policy for determining when bone density tests are medically indicated,
22 and provides benefits for bone density tests performed in accordance
23 with the guidelines. At a minimum, the guidelines shall take into
24 account co-existing medical conditions, family history and lifestyle
25 practices and medications that place a patient at risk for osteoporosis.
26 The hospital service corporation shall make the guidelines available to
27 a health care provider upon request¹. Benefits for such tests shall be
28 provided to the same extent as for any other illness under the contract.

29 This section shall apply to all hospital service corporation contracts
30 in which the hospital service corporation has reserved the right to
31 change the premium.

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 March 20, 1997.

1 2. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), ¹[every] no¹
3 group or individual medical service corporation contract providing
4 hospital or medical expense benefits ¹shall be¹ delivered, issued,
5 executed or renewed in this State, or approved for issuance or renewal
6 in this State by the Commissioner of Banking and Insurance on or after
7 the effective date of this act¹ [, shall provide benefits for bone density
8 tests which are performed in connection with the diagnosis or
9 treatment of osteoporosis] unless the medical service corporation
10 develops guidelines which establish the medical service corporation's
11 policy for determining when bone density tests are medically indicated,
12 and provides benefits for bone density tests performed in accordance
13 with the guidelines. At a minimum, the guidelines shall take into
14 account co-existing medical conditions, family history and lifestyle
15 practices and medications that place a patient at risk for osteoporosis.
16 The medical service corporation shall make the guidelines available to
17 a health care provider upon request¹. Benefits for such tests shall be
18 provided to the same extent as for any other illness under the contract.

19 This section shall apply to all medical service corporation contracts
20 in which the medical service corporation has reserved the right to
21 change the premium.

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23 3. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
24 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), ¹[every] no¹
25 group or individual health service corporation contract providing
26 hospital or medical expense benefits ¹shall be¹ delivered, issued,
27 executed or renewed in this State, or approved for issuance or renewal
28 in this State by the Commissioner of Banking and Insurance on or after
29 the effective date of this act¹ [, shall provide benefits for bone density
30 tests which are performed in connection with the diagnosis or
31 treatment of osteoporosis] unless the health service corporation
32 develops guidelines which establish the health service corporation's
33 policy for determining when bone density tests are medically indicated,
34 and provides benefits for bone density tests performed in accordance
35 with the guidelines. At a minimum, the guidelines shall take into
36 account co-existing medical conditions, family history and lifestyle
37 practices and medications that place a patient at risk for osteoporosis.
38 The health service corporation shall make the guidelines available to
39 a health care provider upon request¹. Benefits for such tests shall be
40 provided to the same extent as for any other illness under the contract.

41 This section shall apply to all health service corporation contracts
42 in which the health service corporation has reserved the right to
43 change the premium.

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45 4. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
46 et seq.) ¹[every] no¹ individual policy providing health insurance

1 coverage ¹shall be¹ delivered, issued, executed or renewed in this
2 State, or approved for issuance or renewal in this State by the
3 Commissioner of ¹Banking and¹ Insurance on or after the effective
4 date of this act¹ [, shall provide benefits for bone density tests which
5 are performed in connection with the diagnosis or treatment of
6 osteoporosis] unless the insurer develops guidelines which establish
7 the insurer's policy for determining when bone density tests are
8 medically indicated, and provides benefits for bone density tests
9 performed in accordance with the guidelines. At a minimum, the
10 guidelines shall take into account co-existing medical conditions,
11 family history and lifestyle practices and medications that place a
12 patient at risk for osteoporosis. The insurer shall make the guidelines
13 available to a health care provider upon request¹. Benefits for such
14 tests shall be provided to the same extent as for any other illness under
15 the policy.

16 This section shall apply to all health insurance policies in which the
17 insurer has reserved the right to change the premium.

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19 5. Except as otherwise provided in P.L.1992, c.162
20 (C.17B:27A-17 et seq.), ¹[every] no¹ group policy providing health
21 insurance coverage ¹shall be¹ delivered, issued, executed or renewed
22 in this State, or approved for issuance or renewal in this State by the
23 Commissioner of Banking and Insurance on or after the effective date
24 of this act¹ [, shall provide benefits for bone density tests which are
25 performed in connection with the diagnosis or treatment of
26 osteoporosis] unless the insurer develops guidelines which establish
27 the insurer's policy for determining when bone density tests are
28 medically indicated, and provides benefits for bone density tests
29 performed in accordance with the guidelines. At a minimum, the
30 guidelines shall take into account co-existing medical conditions,
31 family history and lifestyle practices and medications that place a
32 patient at risk for osteoporosis. The insurer shall make the guidelines
33 available to a health care provider upon request¹. Benefits for such
34 tests shall be provided to the same extent as for any other illness under
35 the policy.

36 This section shall apply to all health insurance policies in which the
37 insurer has reserved the right to change the premium.

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39 6. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
40 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), no certificate of
41 authority to establish and operate a health maintenance organization
42 in this State shall be issued or continued on or after the effective date
43 of this act unless the health maintenance organization ¹[provides health
44 care services for any enrollee for bone density tests which are
45 performed in connection with the diagnosis or treatment of
46 osteoporosis] develops guidelines which establish the health

1 maintenance organization's policy for determining when bone density
2 tests are medically indicated, and provides health care services for any
3 enrollee for bone density tests performed in accordance with the
4 guidelines. At a minimum, the guidelines shall take into account co-
5 existing medical conditions, family history and lifestyle practices and
6 medications that place a patient at risk for osteoporosis. The health
7 maintenance organization shall make the guidelines available to a
8 participating health care provider upon request¹. These health care
9 services shall be provided to the same extent as for any other sickness.

10 The provisions of this section shall apply to all contracts for health
11 care services by health maintenance organizations under which the
12 right to change the schedule of charges for enrollee coverage is
13 reserved.

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15 7. This act shall take effect on the 90th day after enactment.

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21 Requires health insurers to establish guidelines for bone density tests
and provide coverage in accordance with the guidelines.