ASSEMBLY, No. 5215

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 7, 2021

Sponsored by:
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)
Assemblyman ERIK PETERSON
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS
   Requires Medicaid Fraud Division to enter into data sharing agreement upon request of county to provide access to third party insurance liability data regarding certain COVID-19 related health claims.

CURRENT VERSION OF TEXT
   As introduced.

1   **AN ACT** concerning data sharing agreements between the Medicaid
2   Fraud Division and counties, and supplementing Title 52 of the
3   Revised Statutes.
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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 Medicaid Fraud Division in the Office of the State
9   Comptroller shall enter into a data sharing agreement with a county,
10   upon the county's request, for the purposes of providing the county
11   with access to third party insurance liability data utilized by the
12   division's Third Party Liability Unit, and any private entity
13   contracted by the division, to determine whether Medicaid
14   beneficiaries have other insurance.   Under the data sharing
15   agreement, the division shall provide all available data, in a manner
16   that complies with federal and State laws and regulations, which
17   will assist the county in:
18   (1) examining the claims or documentation submitted by
19   individuals to the county upon the provision of publicly-funded
20   health-related services provided in connection with the coronavirus
21   disease 2019 (COVID-19), including, but not limited to, testing,
22   diagnosis, and treatment, administered at any point since the
23   Governor's declared public health emergency regarding COVID-19,
24   to determine whether the individuals are insured; and
25   (2) if any individual is determined to be insured, identifying the
26   carrier under which the individual is a covered person so that the
27   county may properly bill the carrier for any health-related services
28   provided to that individual in connection with COVID-19 that are
29   covered by the carrier.
30   b.   As used in this section, "carrier" means an insurance
31   company, health service corporation, hospital service corporation,
32   medical service corporation, or health maintenance organization
33   authorized to issue health benefits plans in this State, and shall
34   include the State Health Benefits Program and the School
35   Employees' Health Benefits Program.
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37   2.   This act shall take effect immediately.
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40   STATEMENT
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42   This bill requires the Medicaid Fraud Division in the Office of
43   the State Comptroller to enter into a data sharing agreement with a
44   county, upon the county's request, for the purposes of providing the
45   county access to third party insurance liability data utilized by the
46   division's Third Party Liability Unit, and any private entity
47   contracted by the division, to determine whether Medicaid
48   beneficiaries have other insurance.   Under the data sharing

1   agreement, the division is required to provide all available data, in a

2   manner that complies with federal and State laws and regulations,

3   which will assist the county in:

4   1) examining the claims or documentation submitted by

5   individuals to the county upon the provision of publicly-funded

6   health-related services provided in connection with the coronavirus

7   disease 2019 (COVID-19), including, but not limited to, testing,

8   diagnosis, and treatment, administered at any point since the

9   Governor's declared public health emergency regarding COVID-19,

10   to determine whether the individuals are insured; and

11   2) if any individual is determined to be insured, identifying the

12   carrier under which the individual is a covered person so that the

13   county may properly bill the carrier for any health-related services

14   provided to that individual in connection with COVID-19 that are

15   covered by the carrier.

16   As defined under the bill, "carrier" means an insurance company,

17   health service corporation, hospital service corporation, medical

18   service corporation, or health maintenance organization authorized

19   to issue health benefits plans in this State, and shall include the

20   State Health Benefits Program and the School Employees' Health

21   Benefits Program.

22   States are required under federal Medicaid statute to have laws

23   that compel health insurers in the state to provide at least four data

24   elements to support identification of third party liability: the

25   insured's name, address, group or member ID number, and periods

26   of coverage. It is the sponsor's goal that allowing counties to

27   access this information to determine third party liability for

28   COVID-19 health services will protect the limited amount of public

29   funds that have been made available to counties to offer those

30   services.