

ASSEMBLY, No. 5387

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires health insurance coverage of at-home rehabilitation services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/23/2021)

1 AN ACT concerning at-home rehabilitation and supplementing
2 various parts of the statutory law.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. No group or individual hospital service corporation
8 contract providing hospital or medical expense benefits shall be
9 delivered, issued, executed, or renewed in this State, or approved
10 for issuance or renewal in this State by the Commissioner of
11 Banking and Insurance, on or after the effective date of this act,
12 unless the contract provides benefits to any subscriber or other
13 person covered thereunder for expenses incurred in conducting at-
14 home rehabilitation services.

15 b. The benefits shall be provided to the same extent as for any
16 other medical condition under the contract.

17 c. The provisions of this section shall apply to all contracts in
18 which the hospital service corporation has reserved the right to
19 change the premium.

20 d. As used in this section, “at-home rehabilitation” means the
21 treatment of an individual suffering from a functional physical or
22 mental impairment due to injury or disease through use of medical
23 equipment or other means and within the individual’s home.

24
25 2. a. No group or individual medical service corporation
26 contract providing hospital or medical expense benefits shall be
27 delivered, issued, executed, or renewed in this State, or approved
28 for issuance or renewal in this State by the Commissioner of
29 Banking and Insurance, on or after the effective date of this act,
30 unless the contract provides benefits to any subscriber or other
31 person covered thereunder for expenses incurred in conducting at-
32 home rehabilitation services.

33 b. These benefits shall be provided to the same extent as for
34 any other medical condition under the contract.

35 c. The provisions of this section shall apply to all contracts in
36 which the medical services corporation has reserved the right to
37 change the premium.

38 d. As used in this section, “at-home rehabilitation” means the
39 treatment of an individual suffering from a functional physical or
40 mental impairment due to injury or disease through use of medical
41 equipment or other means and within the individual’s home.

42
43 3. a. No group or individual health service corporation
44 contract providing hospital or medical expense benefits shall be
45 delivered, issued, executed, or renewed in this State, or approved
46 for issuance or renewal in this State by the Commissioner of
47 Banking and Insurance, on or after the effective date of this act,
48 unless the contract provides benefits to any subscriber or other

1 person covered thereunder for expenses incurred in conducting at-
2 home rehabilitation services.

3 b. These benefits shall be provided to the same extent as for
4 any other medical condition under the contract.

5 c. The provisions of this section shall apply to all contracts in
6 which the health services corporation has reserved the right to
7 change the premium.

8 d. As used in this section, “at-home rehabilitation” means the
9 treatment of an individual suffering from a functional physical or
10 mental impairment due to injury or disease through use of medical
11 equipment or other means and within the individual’s home.

12

13 4. a. No individual health insurance policy providing hospital
14 or medical expense benefits shall be delivered, issued, executed, or
15 renewed in this State, or approved for issuance or renewal in this
16 State by the Commissioner of Banking and Insurance, on or after
17 the effective date of this act, unless the policy provides benefits to
18 any named insured or other person covered thereunder for expenses
19 incurred in conducting at-home rehabilitation services.

20 b. These benefits shall be provided to the same extent as for
21 any other medical condition under the policy.

22 c. The provision of this section shall apply to all policies in
23 which the insurer has reserved the right to change the premium.

24 d. As used in this section, “at-home rehabilitation” means the
25 treatment of an individual suffering from a functional physical or
26 mental impairment due to injury or disease through use of medical
27 equipment or other means and within the individual’s home.

28

29 5. a. No group health insurance policy providing hospital or
30 medical expense benefits shall be delivered, issued, executed, or
31 renewed in this State, or approved for issuance or renewal in this
32 State by the Commissioner of Banking and Insurance, on or after
33 the effective date of this act, unless the policy provides benefits to
34 any named insured or other person covered thereunder for expenses
35 incurred in conducting at-home rehabilitation services.

36 b. These benefits shall be provided to the same extent as for
37 any other medical condition under the policy.

38 c. The provisions of this section shall apply to all policies in
39 which the insurer has reserved the right to change the premium.

40 d. As used in this section, “at-home rehabilitation” means the
41 treatment of an individual suffering from a functional physical or
42 mental impairment due to injury or disease through use of medical
43 equipment or other means and within the individual’s home.

44

45 6. a. Notwithstanding any provision of law to the contrary, a
46 certificate of authority to establish and operate a health maintenance
47 organization in this State shall not be issued or continued by the
48 Commissioner of Banking and Insurance on or after the effective

1 date of this act unless the health maintenance organization provides
2 health care services to any enrollee for the use of at-home
3 rehabilitation services.

4 b. These health care services shall be provided to the same
5 extent as for any other medical condition under the enrollee
6 agreement.

7 c. The provisions of this section shall apply to all enrollee
8 agreements in which the health maintenance organization has
9 reserved the right to change the schedule of charges.

10 d. As used in this section, "at-home rehabilitation" means the
11 treatment of an individual suffering from a functional physical or
12 mental impairment due to injury or disease through use of medical
13 equipment or other means and within the individual's home.

14

15 7. a. Every individual health benefits plan that is delivered,
16 issued, executed, or renewed in this State pursuant to P.L.1992,
17 c.161 (C.17B:27A-2 et seq.) or approved for issuance or renewal in
18 this State, on or after the effective date of this act, shall provide
19 benefits to any person covered thereunder for expenses incurred in
20 conducting at-home rehabilitation services.

21 b. The benefits shall be provided to the same extent as for any
22 other medical condition under the health benefits plan.

23 c. The provisions of this section shall apply to all health
24 benefit plans in which the carrier has reserved the right to change
25 the premium.

26 d. As used in this section, "at-home rehabilitation" means the
27 treatment of an individual suffering from a functional physical or
28 mental impairment due to injury or disease through use of medical
29 equipment or other means and within the individual's home.

30

31 8. a. Every small employer health benefits plan that is
32 delivered, issued, executed, or renewed in this State pursuant to
33 P.L.1992, c.162 (C.17B:27A-17 et seq.) or approved for issuance or
34 renewal in this State, on or after the effective date of this act, shall
35 provide benefits to any person covered thereunder for expenses
36 incurred in conducting at-home rehabilitation services.

37 b. The benefits shall be provided to the same extent as for any
38 other medical condition under the health benefits plan.

39 c. The provisions of this section shall apply to all health
40 benefit plans in which the carrier has reserved the right to change
41 the premium.

42 d. As used in this section, "at-home rehabilitation" means the
43 treatment of an individual suffering from a functional physical or
44 mental impairment due to injury or disease through use of medical
45 equipment or other means and within the individual's home.

46

47 9. a. The State Health Benefits Commission shall ensure that
48 every contract purchased by the commission on or after the effective

1 date of this act that provides hospital and medical expense benefits
2 shall provide coverage for expenses incurred in conducting at-home
3 rehabilitation services.

4 b. The benefits shall be provided to the same extent as for any
5 other medical condition under the contract.

6 c. As used in this section, “at-home rehabilitation” means the
7 treatment of an individual suffering from a functional physical or
8 mental impairment due to injury or disease through use of medical
9 equipment or other means and within the individual’s home.

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11 10. This act shall take effect immediately.

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STATEMENT

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16 This bill requires health insurance carriers, including insurance
17 companies, health service corporations, hospital service
18 corporations, medical service corporations, health maintenance
19 organizations authorized to issue health benefits plans in New
20 Jersey, and any entity contracted to administer health benefits in
21 connection with the State Health Benefits Program or School
22 Employees’ Health Benefits Program, to cover at-home
23 rehabilitation services.

24 For an individual recovering from surgery or suffering from a
25 debilitating disease or disability, the burden of traveling to and from
26 a rehabilitation facility may be too large to overcome. With the rise
27 of the coronavirus 2019 pandemic, many individuals have also been
28 unable to visit a rehabilitation facility for treatment or have delayed
29 treatment for fear of contracting the virus. Thus, requiring carriers
30 to cover at-home rehabilitation services would alleviate these issues
31 by providing access to treatment from within the patient’s home,
32 without fear of aggravating a disability or contracting a deadly
33 virus. As defined in the bill, “at-home rehabilitation” means the
34 treatment of an individual suffering from a functional physical or
35 mental impairment due to injury or disease through use of medical
36 equipment or other means and within the individual’s home.