

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5046

STATE OF NEW JERSEY

DATED: SEPTEMBER 17, 2026

The Assembly Financial Institutions and Insurance Committee reports favorably Assembly Bill No. 5046.

This bill requires health care claims experience data to be shared with local governments upon request under certain circumstances.

The bill requires carriers and third-party administrators that provide health care benefits to employees of local units to provide complete claims experience data to local unit employers that make a written request for their claims experience information, including loss reports and large claims data.

The bill establishes identical health care claims experience data sharing requirements for third-party medical claims reviewers that contract with the State Health Benefits Program and School Employees Health Benefits Program for local unit employers that participate in those programs, with respect to those employers' employees.

The bill establishes prescription drug claims experience data sharing requirements for pharmacy benefits managers that provide prescription drug benefits to employees of a local unit. Pharmacy benefits managers are required to provide complete prescription claims experience data to a local unit employer that makes a written request for its claims experience information, including claim-level prescription data, rebate amounts received by the pharmacy benefits manager, and a disclosure of spread pricing practices.

All claims experience data required to be shared under the bill is required to be provided in an electronic and manual format within 60 days of the receipt of the request at no cost to the employer. The bill requires claims experience data to be issued in a manner that complies with the privacy requirements of the federal "Health Insurance Portability and Accountability Act of 1996."

The bill provides that carriers, third-party administrators, pharmacy benefits managers, and other entities that violate the provisions of the bill are subject to a penalty in an amount not exceeding \$5,000. Each day the entity is in violation constitutes a separate violation.

The bill provides that the Department of Banking and Insurance may investigate and enforce violations of its provisions. A local unit

employer may refer violations to the department. The department is required to compel disclosure of claims experience data required to be disclosed pursuant to the bill upon a finding of violation.