

ASSEMBLY, No. 1322

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman EDWARD H. THOMSON

District 30 (Monmouth and Ocean)

SYNOPSIS

Requires health insurers, SHBP and SEHBP to provide coverage for diagnosis, evaluation and treatment of lymphedema.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** requiring health insurance coverage for lymphedema and
2 supplementing 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. A hospital service corporation contract that provides
8 hospital and medical expense benefits and is delivered, issued,
9 executed or renewed in this State pursuant to P.L.1938, c.366
10 (C.17:48-1 et seq.), or approved for issuance or renewal in this State
11 by the Commissioner of Banking and Insurance on or after the
12 effective date of this act, shall provide coverage for expenses
13 incurred in the diagnosis, evaluation, and treatment of lymphedema
14 that is determined to be medically necessary by the covered
15 person's physician.

16 b. The benefits provided by this section shall be provided to the
17 same extent and with the same deductibles, coinsurance, and other
18 cost sharing as apply to similar services under the contract.

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

22

23 2. a. A medical service corporation contract that provides
24 hospital and medical expense benefits and is delivered, issued,
25 executed or renewed in this State pursuant to P.L.1940, c.74
26 (C.17:48A-1 et seq.), or approved for issuance or renewal in this
27 State by the Commissioner of Banking and Insurance on or after the
28 effective date of this act, shall provide coverage for expenses
29 incurred in the diagnosis, evaluation, and treatment of lymphedema
30 that is determined to be medically necessary by the covered
31 person's physician.

32 b. The benefits provided by this section shall be provided to the
33 same extent and with the same deductibles, coinsurance, and other
34 cost sharing as apply to similar services under the contract.

35 c. This section shall apply to those medical service corporation
36 contracts in which the medical service corporation has reserved the
37 right to change the premium.

38

39 3. a. A health service corporation contract that provides
40 hospital and medical expense benefits and is delivered, issued,
41 executed or renewed in this State pursuant to P.L.1985, c.236
42 (C.17:48E-1 et seq.), or approved for issuance or renewal in this
43 State by the Commissioner of Banking and Insurance on or after the
44 effective date of this act, shall provide coverage for expenses
45 incurred in the diagnosis, evaluation, and treatment of lymphedema
46 that is determined to be medically necessary by the covered
47 person's physician.

1 b. The benefits provided by this section shall be provided to the
2 same extent and with the same deductibles, coinsurance, and other
3 cost sharing as apply to similar services under the contract.

4 c. This section shall apply to those health service corporation
5 contracts in which the health service corporation has reserved the
6 right to change the premium.

7
8 4. a. An individual health insurance policy that provides
9 hospital and medical expense benefits and is delivered, issued,
10 executed or renewed in this State pursuant to N.J.S.17B:26-1 et
11 seq., or approved for issuance or renewal in this State by the
12 Commissioner of Banking and Insurance on or after the effective
13 date of this act, shall provide coverage for expenses incurred in the
14 diagnosis, evaluation, and treatment of lymphedema that is
15 determined to be medically necessary by the insured's physician.

16 b. The benefits provided by this section shall be provided to the
17 same extent and with the same deductibles, coinsurance, and other
18 cost sharing as apply to similar services under the policy.

19 c. This section shall apply to those individual health insurance
20 policies in which the insurer has reserved the right to change the
21 premium.

22
23 5. a. A group health insurance policy that provides hospital
24 and medical expense benefits and is delivered, issued, executed or
25 renewed in this State pursuant to N.J.S.17B:27-26 et seq., or
26 approved for issuance or renewal in this State by the Commissioner
27 of Banking and Insurance on or after the effective date of this act,
28 shall provide coverage for expenses incurred in the diagnosis,
29 evaluation, and treatment of lymphedema that is determined to be
30 medically necessary by the insured's physician.

31 b. The benefits provided by this section shall be provided to the
32 same extent and with the same deductibles, coinsurance, and other
33 cost sharing as apply to similar services under the policy.

34 c. This section shall apply to those group health insurance
35 policies in which the insurer has reserved the right to change the
36 premium.

37
38 6. a. An individual health benefits plan that provides hospital
39 and medical expense benefits and is delivered, issued, executed or
40 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et
41 seq.), or approved for issuance or renewal in this State by the
42 Commissioner of Banking and Insurance on or after the effective
43 date of this act, shall provide coverage for expenses incurred in the
44 diagnosis, evaluation, and treatment of lymphedema that is
45 determined to be medically necessary by the covered person's
46 physician.

47 b. The benefits provided by this section shall be provided to the
48 same extent and with the same deductibles, coinsurance, and other

1 cost sharing as apply to similar services under the health benefits
2 plan.

3 c. This section shall apply to those health benefits plans in
4 which the carrier has reserved the right to change the premium.

5
6 7. a. A small employer health benefits plan that provides
7 hospital and medical expense benefits and is delivered, issued,
8 executed or renewed in this State pursuant to P.L.1992, c.162
9 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
10 State by the Commissioner of Banking and Insurance on or after the
11 effective date of this act, shall provide coverage for expenses
12 incurred in the diagnosis, evaluation, and treatment of lymphedema
13 that is determined to be medically necessary by the covered
14 person's physician.

15 b. The benefits provided by this section shall be provided to the
16 same extent and with the same deductibles, coinsurance, and other
17 cost sharing as apply to similar services under the health benefits
18 plan.

19 c. This section shall apply to those health benefits plans in
20 which the carrier has reserved the right to change the premium.

21
22 8. a. A health maintenance organization contract for health
23 care services that is delivered, issued, executed, or renewed in this
24 State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or approved
25 for issuance or renewal in this State by the Commissioner of
26 Banking and Insurance, on or after the effective date of this act,
27 shall provide coverage for expenses incurred in the diagnosis,
28 evaluation, and treatment of lymphedema that is determined to be
29 medically necessary by the enrollee's physician.

30 b. The benefits provided by this section shall be provided to the
31 same extent and with the same deductibles, coinsurance, and other
32 cost sharing as apply to similar services under the contract for
33 services.

34 c. This section shall apply to those contracts for health care
35 services under which the health maintenance organization has
36 reserved the right to change the schedule of charges for enrollee
37 coverage.

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39 9. a. The State Health Benefits Commission shall ensure that
40 every contract purchased by the commission on or after the
41 effective date of this act that provides hospital and medical expense
42 benefits shall provide coverage for expenses incurred in the
43 diagnosis, evaluation, and treatment of lymphedema that is
44 determined to be medically necessary by the covered person's
45 physician.

46 b. The benefits provided by this section shall be provided to the
47 same extent and with the same deductibles, coinsurance, and other
48 cost sharing as apply to similar services under the contract.

