

ASSEMBLY, No. 2437

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Creates “Osteopathic Manipulative Medicine Pilot Program.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT creating the “Osteopathic Manipulative Medicine Pilot
2 Program” in the Division of Mental Health and Addiction
3 Services and supplementing Title 26 of the Revised Statutes.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. The Legislature finds and declares that:

9 a. The effects on individuals, their families, and society of the
10 opioid and heroin addiction crises are well known, and efforts to
11 combat addiction often fail to address the underlying medical
12 reason for which opioids were prescribed by physicians in the first
13 place, pain or chronic pain due to injury or disease.

14 b. Treatments that relieve pain without the use of opioids help
15 individuals to survive or avoid addiction and live their lives more
16 fully, and should be investigated and made more widely available as
17 an alternative to prescription drugs.

18 c. The State can assist in the propagation of alternative
19 treatments for chronic pain, including manipulation therapy or
20 osteopathic manipulative treatment, by utilizing this treatment in a
21 pilot program that demonstrates its efficacy, and assesses the
22 potential for the expansion of manipulation therapy beyond the pilot
23 program into other public healthcare programs.
24

25 2. As used in this act:

26 “Manipulation therapy” means the application of manual
27 pressure or force to the bones, joints, tissues, or muscles of the body
28 to restore functionality, remove barriers to motion or healing, and to
29 relieve pain by a physician licensed by the State Board of Medical
30 Examiners, who has a doctor of osteopathy degree, and is trained in
31 the provision of osteopathic manipulative treatment. Manipulation
32 therapy is also known as osteopathic manipulative treatment.
33

34 3. a. The Division of Mental Health and Addiction Services in
35 the Department of Health shall establish a 12-month pilot program,
36 to be known as the Osteopathic Manipulative Medicine Pilot
37 Program.

38 b. The objective of the pilot program shall be to provide
39 manipulation therapy to individuals who receive services through
40 the division for an addiction or substance use disorder and who
41 suffer from chronic pain, to assist these individuals in their
42 recovery, to highlight the efficacy of manipulation therapy as an
43 alternative to prescription drugs for pain relief, and to evaluate the
44 potential for expanding the use and reimbursement of manipulation
45 therapy beyond the pilot program.

46 c. The division shall, in consultation with the New Jersey
47 Association of Osteopathic Physicians and Surgeons, adopt:

1 (1) standards concerning the eligibility of individuals for
2 participation in the pilot program based on their health status and
3 need for treatment to address chronic pain;

4 (2) requirements concerning the training, education, experience,
5 and qualifications of physicians providing manipulation therapy in
6 the pilot program; and

7 (3) standardized reimbursement rates for manipulation therapy
8 services provided through the pilot program.

9 d. Within six months following the termination of the pilot
10 program, the Division of Mental Health and Addiction Services
11 shall submit a report to the Governor, and pursuant to section 2 of
12 P.L.1991, c.164 (C.52:14-19.1) to the Legislature, concerning its
13 findings and any recommendations for expanding the use of
14 manipulation therapy in treating chronic pain in those who suffer
15 from addiction or substance use disorder.

16 e. Notwithstanding any provisions in the contract between the
17 Division of Medical Assistance and Health Services in the
18 Department of Human Services and federally qualified/State
19 defined health maintenance organizations providing health care
20 services in the State to Medicaid enrollees to the contrary, a health
21 maintenance organization may agree to provide manipulation
22 therapy through the pilot program pursuant to the reimbursement
23 rates to be established pursuant to subsection c. of this section.

24 f. Providers of services through the Division of Mental Health
25 and Addiction Services that are reimbursed on a fee-for-service
26 basis may agree to provide manipulation therapy through the pilot
27 program pursuant to the reimbursement rates to be established
28 pursuant to subsection c. of this section.

29 g. The Commissioner of Human Services shall apply for such
30 State plan amendments or waivers as may be necessary to
31 implement the provisions of this act and to secure such federal
32 financial participation through the federal Medicaid program as may
33 be available for State expenditures made under this act.

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35 4. This act shall take effect on the first day of the sixth month
36 next following the date of enactment, but the Commissioners of
37 Health and Human Services may take anticipatory administrative
38 action in advance thereof as shall be necessary for the
39 implementation of this act.

40 41 42 STATEMENT

43
44 This bill establishes a 12-month pilot program, to be known as
45 the "Osteopathic Manipulative Medicine Pilot Program," in the
46 Division of Mental Health and Addiction Services in the
47 Department of Health. The objective of the pilot program is to to
48 provide manipulation therapy to individuals who receive services

1 through the division for an addiction or substance use disorder and
2 who suffer from chronic pain, to assist these individuals in their
3 recovery, to highlight the efficacy of manipulation therapy as an
4 alternative to prescription drugs for pain relief, and to evaluate the
5 potential for expanding the use and reimbursement of manipulation
6 therapy beyond the pilot program. The bill defines “manipulation
7 therapy” as the application of manual pressure or force to the bones,
8 joints, tissues, or muscles of the body to restore functionality,
9 remove barriers to motion or healing, and to relieve pain by a
10 physician licensed by the State Board of Medical Examiners, who
11 has a doctor of osteopathy degree, and is trained in the provision of
12 osteopathic manipulative treatment. Manipulation therapy is also
13 known as osteopathic manipulative treatment

14 The bill requires that the division consult with the New Jersey
15 Association of Osteopathic Physicians and Surgeons, to adopt:

16 (1) standards concerning the eligibility of individuals for
17 participation in the pilot program based on their health status and
18 need for treatment to address chronic pain;

19 (2) requirements concerning the training, education, experience,
20 and qualifications of physicians providing manipulation therapy in
21 the pilot program; and

22 (3) standardized reimbursement rates for manipulation therapy
23 services provided through the pilot program.

24 The bill provides that a health maintenance organization
25 providing health care services in the State to Medicaid enrollees
26 may agree to provide manipulation therapy through the pilot
27 program pursuant to the reimbursement rates to be established,
28 notwithstanding any provisions in the contract between the Division
29 of Medical Assistance and Health Services in the Department of
30 Human Services and the health maintenance organization to the
31 contrary. Providers of services through the Division of Mental
32 Health and Addiction Services that are reimbursed on a fee-for-
33 service basis may agree to provide manipulation therapy through
34 the pilot program pursuant to the reimbursement rates to be
35 established pursuant to the bill’s provisions.