

ASSEMBLY, No. 2670

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires distribution of family leave informational materials to certain patients.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning family leave, supplementing Title 26 of the
2 Revised Statutes, and amending P.L.2014, c.68.

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

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7 1. (New section) As used in P.L. , c. (C.) (pending
8 before the Legislature as this bill):

9 "Health care provider" means a health care professional licensed
10 pursuant to Title 45 of the Revised Statutes or a health care facility
11 licensed pursuant to Title 26 of the Revised Statutes that provides
12 maternity care.

13 "Hospital" means an acute care hospital licensed by the
14 Department of Health pursuant to P.L.1971, c.136 (C.26:2H-
15 1 et al.) that provides maternity care.

16

17 2. (New section) The Department of Health, in consultation
18 with the Department of Labor, shall develop a pamphlet and other
19 informational materials and distribute to hospitals and health care
20 providers to inform patients on the availability of programs
21 developed pursuant to the "Family Leave Act," P.L.1989, c.261
22 (C.34:11B-1 et seq.).

23

24 3. (New section) Hospitals and health care providers shall
25 make available in their respective patient waiting areas pamphlets
26 and other informational materials distributed to the hospitals and
27 health care providers pursuant to section 2 of P.L. , c. (C.)
28 (pending before the Legislature as this bill).

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30 4. Section 5 of P.L.2014, c.68 (C.26:2H-5.28) is amended to
31 read as follows:

32 5. a. As soon as possible prior to a patient's discharge from a
33 hospital to the patient's residence, the hospital shall consult with the
34 designated caregiver and issue a discharge plan that describes a
35 patient's after-care assistance needs, if any, at the patient's
36 residence. The consultation and issuance of a discharge plan shall
37 occur on a schedule that takes into consideration the severity of the
38 patient's condition, the setting in which care is to be delivered, and
39 the urgency of the need for caregiver services. In the event the
40 hospital is unable to contact the designated caregiver, the lack of
41 contact shall not interfere with, delay, or otherwise affect the
42 medical care provided to the patient, or an appropriate discharge of
43 the patient. The hospital shall promptly document the attempt in
44 the patient's medical record. At a minimum, the discharge plan
45 shall include:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (1) The name and contact information of the caregiver
2 designated under this act;

3 (2) A description of all after-care assistance tasks necessary to
4 maintain the patient's ability to reside at home; **and**

5 (3) Contact information for any health care, community
6 resources, and long-term services and supports necessary to
7 successfully carry out the patient's discharge plan, and contact
8 information for a hospital employee who can respond to questions
9 about the discharge plan after the instruction provided pursuant to
10 subsection b. of this section ; and

11 (4) Pamphlets and other informational materials distributed
12 pursuant to section 2 of P.L. , c. (C.) (pending before the
13 Legislature as this bill) to inform patients on the availability of
14 programs developed pursuant to the "Family Leave Act," P.L.1989,
15 c.261 (C.34:11B-1 et seq.).

16 b. The hospital issuing the discharge plan must provide
17 caregivers with instructions in all after-care assistance tasks
18 described in the discharge plan. Training and instructions for
19 caregivers may be conducted in person or through video
20 technology, at the discretion of the caregiver. Any training or
21 instructions provided to a caregiver shall be provided in non-
22 technical language, to the extent possible. At a minimum, this
23 instruction shall include:

24 (1) A live or recorded demonstration of the tasks performed by
25 an individual designated by the hospital, who is authorized to
26 perform the after-care assistance task, and is able to perform the
27 demonstration in a culturally-competent manner and in accordance
28 with the hospital's requirements to provide language access services
29 under State and federal law;

30 (2) An opportunity for the caregiver to ask questions about the
31 after-care assistance tasks; and

32 (3) Answers to the caregiver's questions provided in a
33 culturally-competent manner and in accordance with the hospital's
34 requirements to provide language access services under State and
35 federal law.

36 c. Any instruction required under this act shall be documented
37 in the patient's medical record, including, at a minimum, the date,
38 time, and contents of the instruction.

39 (cf: P.L.2014, c.68, s.5)

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41 5. The Department of Health shall adopt, pursuant to the
42 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
43 1 et seq.), rules or regulations necessary to effectuate the provisions
44 of this act, including rules and regulations to require hospitals to
45 provide maternity patients pamphlets and other informational
46 materials distributed to the hospitals pursuant to section 2 of
47 P.L. , c. (C.) (pending before the Legislature as this bill)
48 upon patients' discharge from the hospital.

1 6. This act shall take effect 180 days after the date of
2 enactment.

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STATEMENT

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7 This bill requires distribution of family leave informational
8 materials to certain patients. Under the bill, the Department of
9 Health, in consultation with the Department of Labor, is to develop
10 a pamphlet and other informational materials for distribution to
11 hospitals and health care providers to inform patients on the
12 availability of programs developed pursuant to the "Family Leave
13 Act," P.L.1989, c.261 (C.34:11B-1 et seq.). Hospitals and health
14 care providers are to make the pamphlets and other informational
15 materials available to their patients.

16 The bill provides that hospitals are to distribute the pamphlets
17 and other informational materials to caregivers and maternity care
18 patients and upon patients' discharge from the hospital.