

ASSEMBLY, No. 2766

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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Assemblyman Benson

SYNOPSIS

Requires health insurers to provide coverage for epinephrine for persons aged 18 or younger.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/8/2020)

1 AN ACT concerning insurance coverage for epinephrine 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 or 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 benefits to any covered
13 person 18 years of age or younger for medical expenses incurred in
14 the purchase of epinephrine auto-injector devices. The benefits
15 shall be provided without the imposition of any prior authorization
16 or other utilization management requirements.

17 As used in this section, “epinephrine auto-injector device” means
18 a single-use device used for the automatic injection of a pre-
19 measured dose of epinephrine into the human body.

20 b. The provisions of this section shall apply to all hospital
21 service corporation contracts in which the hospital service
22 corporation has reserved the right to change the premium.

23
24 2. a. A medical service corporation contract that provides
25 hospital or medical expense benefits and is delivered, issued,
26 executed or renewed in this State pursuant to P.L.1940, c.74
27 (C.17:48A-1 et seq.), or approved for issuance or renewal in this
28 State by the Commissioner of Banking and Insurance on or after the
29 effective date of this act, shall provide benefits to any covered
30 person 18 years of age or younger for medical expenses incurred in
31 the purchase of epinephrine auto-injector devices. The benefits
32 shall be provided without the imposition of any prior authorization
33 or other utilization management requirements.

34 As used in this section, “epinephrine auto-injector device” means
35 a single-use device used for the automatic injection of a pre-
36 measured dose of epinephrine into the human body.

37 b. The provisions of this section shall apply to all medical
38 service corporation contracts in which the medical service
39 corporation has reserved the right to change the premium.

40
41 3. a. A health service corporation contract that provides
42 hospital or medical expense benefits and is delivered, issued,
43 executed or renewed in this State pursuant to P.L.1985, c.236
44 (C.17:48E-1 et al.), or approved for issuance or renewal in this State
45 by the Commissioner of Banking and Insurance on or after the
46 effective date of this act, shall provide benefits to any covered
47 person 18 years of age or younger for medical expenses incurred in
48 the purchase of epinephrine auto-injector devices. The benefits

1 shall be provided without the imposition of any prior authorization
2 or other utilization management requirements.

3 As used in this section, “epinephrine auto-injector device” means
4 a single-use device used for the automatic injection of a pre-
5 measured dose of epinephrine into the human body.

6 b. The provisions of this section shall apply to all health
7 service corporation contracts in which the health service
8 corporation has reserved the right to change the premium.

9
10 4. a. An individual health insurance policy that provides
11 hospital and medical expense benefits and is delivered, issued,
12 executed, or renewed in this State pursuant to chapter 26 of Title
13 17B of the New Jersey Statutes, or approved for issuance or renewal
14 in this State by the Commissioner of Banking and Insurance, on or
15 after the effective date of this act, shall provide benefits to any
16 covered person 18 years of age or younger for medical expenses
17 incurred in the purchase of epinephrine auto-injector devices. The
18 benefits shall be provided without the imposition of any prior
19 authorization or other utilization management requirements.

20 As used in this section, “epinephrine auto-injector device” means
21 a single-use device used for the automatic injection of a pre-
22 measured dose of epinephrine into the human body.

23 b. This section shall apply to those policies in which the insurer
24 has reserved the right to change the premium.

25
26 5. a. A group health insurance policy that provides hospital and
27 medical expense benefits and is delivered, issued, executed, or
28 renewed in this State pursuant to chapter 27 of Title 17B of the New
29 Jersey Statutes, or approved for issuance or renewal in this State by
30 the Commissioner of Banking and Insurance, on or after the
31 effective date of this act, shall provide benefits to any covered
32 person 18 years of age or younger for medical expenses incurred in
33 the purchase of epinephrine auto-injector devices. The benefits
34 shall be provided without the imposition of any prior authorization
35 or other utilization management requirements.

36 As used in this section, “epinephrine auto-injector device” means
37 a single-use device used for the automatic injection of a pre-
38 measured dose of epinephrine into the human body.

39 b. This section shall apply to those policies in which the insurer
40 has reserved the right to change the premium.

41
42 6. a. An individual health benefits plan that provides hospital
43 and medical expense benefits and is delivered, issued, executed or
44 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et
45 seq.), or approved for issuance or renewal in this State by the
46 Commissioner of Banking and Insurance, on or after the effective
47 date of this act, shall provide benefits to any covered person 18
48 years of age or younger for medical expenses incurred in the

1 purchase of epinephrine auto-injector devices. The benefits shall be
2 provided without the imposition of any prior authorization or other
3 utilization management requirements.

4 As used in this section, “epinephrine auto-injector device” means
5 a single-use device used for the automatic injection of a pre-
6 measured dose of epinephrine into the human body.

7 b. This section shall apply to those health benefits plans in
8 which the carrier has reserved the right to change the premium.

9
10 7. a. A small employer health benefits plan that provides
11 hospital and medical expense benefits and is delivered, issued,
12 executed or renewed in this State pursuant to P.L.1992, c.162
13 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
14 State by the Commissioner of Banking and Insurance, on or after
15 the effective date of this act, shall provide benefits to any covered
16 person 18 years of age or younger for medical expenses incurred in
17 the purchase of epinephrine auto-injector devices. The benefits
18 shall be provided without the imposition of any prior authorization
19 or other utilization management requirements.

20 As used in this section, “epinephrine auto-injector device” means
21 a single-use device used for the automatic injection of a pre-
22 measured dose of epinephrine into the human body.

23 b. This section shall apply to those health benefits plans in
24 which the carrier has reserved the right to change the premium.

25
26 8. a. A health maintenance organization contract for health
27 care services that is delivered, issued, executed, or renewed in this
28 State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or approved
29 for issuance or renewal in this State by the Commissioner of
30 Banking and Insurance, on or after the effective date of this act,
31 shall provide benefits to any covered person 18 years of age or
32 younger for medical expenses incurred in the purchase of
33 epinephrine auto-injector devices. The benefits shall be provided
34 without the imposition of any prior authorization or other utilization
35 management requirements.

36 As used in this section, “epinephrine auto-injector device” means
37 a single-use device used for the automatic injection of a pre-
38 measured dose of epinephrine into the human body.

39 b. This section shall apply to those contracts for health care
40 services under which the health maintenance organization has
41 reserved the right to change the schedule of charges for enrollee
42 coverage.

43
44 9. The State Health Benefits Commission shall ensure that
45 every contract purchased by the commission on or after the
46 effective date of this act that provides hospital and medical expense
47 benefits shall provide benefits to any covered person 18 years of
48 age or younger for medical expenses incurred in the purchase of

1 epinephrine auto-injector devices. The benefits shall be provided
2 without the imposition of any prior authorization or other utilization
3 management requirements.

4 As used in this section, “epinephrine auto-injector device” means
5 a single-use device used for the automatic injection of a pre-
6 measured dose of epinephrine into the human body.

7
8 10. The School Employees' Health Benefits Commission shall
9 ensure that every contract purchased by the commission on or after
10 the effective date of this act that provides hospital and medical
11 expense benefits shall provide benefits to any covered person 18
12 years of age or younger for medical expenses incurred in the
13 purchase of epinephrine auto-injector devices. The benefits shall be
14 provided without the imposition of any prior authorization or other
15 utilization management requirements.

16 As used in this section, “epinephrine auto-injector device” means
17 a single-use device used for the automatic injection of a pre-
18 measured dose of epinephrine into the human body.

19
20 11. This act shall take effect on the 90th day next following
21 enactment.

22

23

24 STATEMENT

25

26 This bill requires health insurers (health, hospital and medical
27 service corporations, commercial individual and group health
28 insurers, health maintenance organizations, health benefits plans
29 issued pursuant to the New Jersey Individual Health Coverage and
30 Small Employer Health Benefits Programs, the State Health
31 Benefits Program, and the School Employees' Health Benefits
32 Program) to provide coverage for medical expenses incurred in the
33 purchase of epinephrine auto-injector devices for covered persons
34 18 years of age or younger. Under the bill, “epinephrine auto-
35 injector device” means a single-use device used for the automatic
36 injection of a pre-measured dose of epinephrine into the human
37 body.