

ASSEMBLY, No. 3285

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Establishes Medicaid Services Review Task Force to study national treatment guidelines for certain Medicaid services.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** establishing the Medicaid Services Review Task Force.

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

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6 1. a. There is established in the Department of Human
7 Services the Medicaid Services Review Task Force, which shall be
8 responsible for:

9 (1) identifying the 20 most expensive services for which the
10 State Medicaid program provides coverage;

11 (2) reviewing national treatment guidelines for the services
12 identified pursuant to paragraph (1) of this subsection for each
13 physician specialty directly involved in providing the service;

14 (3) compiling a list of treatment guidelines reviewed pursuant to
15 paragraph (2) of this subsection, to be made available to managed
16 care organizations under contract with the Department of Human
17 Services; and

18 (4) in consultation with managed care organizations under
19 contract with the Department of Human Services, recommending to
20 the Governor, the Legislature, and the Commissioner of Human
21 Services whether managed care organizations should be permitted
22 to deny claims for services identified pursuant to paragraph (1) of
23 this subsection when a physician submitting a claim for the service
24 does not comply with specialty-specific treatment guidelines for the
25 provision of that service.

26 b. The task force shall comprise the Commissioner of Human
27 Services or a designee, who shall serve ex officio, and up to 20
28 public members to be appointed by the commissioner, who shall be
29 physicians licensed in New Jersey who are representative of the
30 specialties that provide the services identified pursuant to paragraph
31 (1) of subsection a. of this section. In appointing the public
32 members, the commissioner shall consider the recommendations of:
33 the American Board of Allergy and Immunology; the American
34 Board of Anesthesiology; the American Board of Colon and Rectal
35 Surgery; the American Board of Dermatology; the American Board
36 of Emergency Medicine; the American Board of Family Medicine;
37 the American Board of Internal Medicine; the American Board of
38 Medical Genetics and Genomics; the American Board of
39 Neurological Surgery; the American Board of Nuclear Medicine;
40 the American Board of Obstetrics and Gynecology; the American
41 Board of Ophthalmology; the American Board of Orthopaedic
42 Surgery; the American Board of Otolaryngology; the American
43 Board of Pathology; the American Board of Pediatrics; the
44 American Board of Physical Medicine and Rehabilitation; the
45 American Board of Plastic Surgery; the American Board of
46 Preventive Medicine; the American Board of Psychiatry and
47 Neurology; the American Board of Radiology; the American Board

1 of Surgery; the American Board of Thoracic Surgery; and the
2 American Board of Urology.

3 c. The task force shall organize as soon as practicable
4 following the appointment of its members and shall select a
5 chairperson from among the members. The chairperson shall
6 appoint a secretary who need not be a member of the task force.

7 d. Members of the task force shall serve without compensation,
8 but shall be reimbursed for necessary expenses incurred in the
9 performance of their duties as members of the task force, within the
10 limits of funds appropriated or otherwise made available to the task
11 force for its purposes.

12 e. The task force shall be entitled to call to its assistance and
13 avail itself of the services of the employees of any State, county, or
14 municipal department, board, bureau, commission, or agency as it
15 may require and as may be available to it for its purposes.

16 f. The Department of Human Services shall provide staff
17 support to the task force.

18 g. No later than 180 days after organization, the task force shall
19 complete the tasks of identifying services and reviewing and
20 compiling treatment guidelines pursuant to paragraphs (1), (2), and
21 (3) of subsection a. of this subsection; and no later than one year
22 after the date that those tasks are completed, the task force shall
23 submit its recommendations pursuant to paragraph (4) of subsection
24 a. of this section to the Governor, the Commissioner of Human
25 Services, and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
26 19.1), to the Legislature. The task force recommendations may
27 include any recommendations for administrative, legislative,
28 executive, or other action as may be appropriate to effectuate the
29 purposes of this section. The task force shall expire upon
30 submission of its recommendations.

31 h. The Commissioner of Human Services may take appropriate
32 actions consistent with the task force recommendations submitted
33 pursuant to subsection g. of this section, and shall apply for such
34 State plan amendments or waivers as may be necessary to
35 implement those actions and to secure federal financial participation
36 for State Medicaid expenditures under the federal Medicaid
37 program.

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39 2. This act shall take effect immediately and shall expire 60
40 days after the date the task force submits its recommendations.

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STATEMENT

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45 This bill establishes the Medicaid Services Review Task Force,
46 which will be responsible for identifying the 20 most expensive
47 services covered under the State Medicaid program, reviewing
48 national, specialty-specific treatment guidelines for those services,

1 compiling a list of treatment guidelines to be made available to
2 managed care organizations (MCOs) under contract with the
3 Department of Human Services, and issuing recommendations, in
4 consultation with MCOs, as to whether MCOs should be allowed to
5 deny claims for services when the services are not provided in
6 compliance with treatment guidelines.

7 The task force will comprise the Commissioner of Human
8 Services or a designee, who will serve ex officio, and up to 20
9 public members, who will be physicians licensed in New Jersey
10 who are representative of the specialties that provide the services
11 identified by the task force. The public members will be appointed
12 by the commissioner, taking into consideration the
13 recommendations of the boards that certify the various medical
14 specialties and subspecialties. The members will serve without
15 compensation.

16 The task force's recommendations are to be provided to the
17 Governor, the Legislature, and the commissioner within 18 months
18 after the date the task force organizes, and may include
19 recommendations for administrative, legislative, executive, and
20 other action as may be appropriate to effectuate the purposes of the
21 bill. The task force will expire upon submission of its
22 recommendations.