

ASSEMBLY, No. 3534

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires insurance coverage of epinephrine for persons aged 18 or younger when medically necessary.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning health insurance coverage of 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
11 State, by the Commissioner of Banking and Insurance, on or after
12 the effective date of this act, shall provide benefits to any covered
13 person 18 years of age or younger for expenses incurred in the
14 purchase of epinephrine auto-injector devices when medically
15 necessary and as prescribed by the treating health care provider.
16 The benefits shall be provided without the imposition of any prior
17 authorization or other utilization management requirements.

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

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

24
25 2. a. A medical service corporation contract that provides
26 hospital or medical expense benefits and is delivered, issued,
27 executed or renewed in this State pursuant to P.L.1940, c.74
28 (C.17:48A-1 et seq.), or approved for issuance or renewal in this
29 State by the Commissioner of Banking and Insurance on or after the
30 effective date of this act, shall provide benefits to any covered
31 person 18 years of age or younger for expenses incurred in the
32 purchase of epinephrine auto-injector devices when medically
33 necessary and as prescribed by the treating health care provider.
34 The benefits shall be provided without the imposition of any prior
35 authorization 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. The provisions of this section shall apply to all medical
40 service corporation contracts in which the medical service
41 corporation has reserved the right to change the premium.

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

1 person 18 years of age or younger for expenses incurred in the
2 purchase of epinephrine auto-injector devices when medically
3 necessary and as prescribed by the treating health care provider.
4 The benefits shall be provided without the imposition of any prior
5 authorization or other utilization management requirements.

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

9 b. The provisions of this section shall apply to all health
10 service corporation contracts in which the health service
11 corporation has reserved the right to change the premium.

12

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

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

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

29

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

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

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

46

47 6. a. An individual health benefits plan that provides hospital
48 and medical expense benefits and is delivered, issued, executed or

1 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et
2 seq.), or approved for issuance or renewal in this State by the
3 Commissioner of Banking and Insurance, on or after the effective
4 date of this act, shall provide benefits to any covered person 18
5 years of age or younger for expenses incurred in the purchase of
6 epinephrine auto-injector devices when medically necessary and as
7 prescribed by the treating health care provider. The benefits shall
8 be provided without the imposition of any prior authorization or
9 other utilization management requirements.

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

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

15

16 7. a. A small employer health benefits plan that provides
17 hospital and medical expense benefits and is delivered, issued,
18 executed or renewed in this State pursuant to P.L.1992, c.162
19 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
20 State by the Commissioner of Banking and Insurance, on or after
21 the effective date of this act, shall provide benefits to any covered
22 person 18 years of age or younger for expenses incurred in the
23 purchase of epinephrine auto-injector devices when medically
24 necessary and as prescribed by the treating health care provider.
25 The benefits shall be provided without the imposition of any prior
26 authorization or other utilization management requirements.

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

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

32

33 8. a. A health maintenance organization contract for health
34 care services that is delivered, issued, executed, or renewed in this
35 State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or approved
36 for issuance or renewal in this State by the Commissioner of
37 Banking and Insurance, on or after the effective date of this act,
38 shall provide benefits to any covered person 18 years of age or
39 younger for expenses incurred in the purchase of epinephrine auto-
40 injector devices when medically necessary and as prescribed by the
41 treating health care provider. The benefits shall be provided
42 without the imposition of any prior authorization or other utilization
43 management requirements.

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

47 b. This section shall apply to those contracts for health care
48 services under which the health maintenance organization has

1 reserved the right to change the schedule of charges for enrollee
2 coverage.

3
4 9. The State Health Benefits Commission shall ensure that
5 every contract purchased by the commission on or after the
6 effective date of this act that provides hospital and medical expense
7 benefits shall provide benefits to any covered person 18 years of
8 age or younger for expenses incurred in the purchase of epinephrine
9 auto-injector devices when medically necessary and as prescribed
10 by the treating health care provider. The benefits shall be provided
11 without the imposition of any prior authorization or other utilization
12 management requirements.

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

16
17 10. The School Employees' Health Benefits Commission shall
18 ensure that every contract purchased by the commission on or after
19 the effective date of this act that provides hospital and medical
20 expense benefits shall provide benefits to any covered person 18
21 years of age or younger for expenses incurred in the purchase of
22 epinephrine auto-injector devices when medically necessary and as
23 prescribed by the treating health care provider. The benefits shall
24 be provided without the imposition of any prior authorization or
25 other utilization management requirements.

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

29
30 11. This act shall take effect on the 90th day next following the
31 date of enactment.

32 33 34 STATEMENT

35
36 This bill requires health insurers (health, hospital and medical
37 service corporations, commercial individual and group health
38 insurers, health maintenance organizations, health benefits plans
39 issued pursuant to the New Jersey Individual Health Coverage and
40 Small Employer Health Benefits Programs, the State Health
41 Benefits Program, and the School Employees' Health Benefits
42 Program) to provide coverage to any covered person 18 years of age
43 or younger, for expenses incurred in the purchase of epinephrine
44 auto-injector devices, when medically necessary and as prescribed
45 by the treating health care provider. Under the bill, “epinephrine
46 auto-injector device” means a single-use device used for the
47 automatic injection of a pre-measured dose of epinephrine into the
48 human body.