

ASSEMBLY, No. 5360

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Co-Sponsored by:

Assemblyman Verrelli and Assemblywoman McKnight

SYNOPSIS

Requires certain providers to restore level of care to pre-COVID-19 levels following end of declared public health emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/12/2021)

1 AN ACT concerning managed care and health insurance and
2 supplementing Title 26 of the Revised Statutes.

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

6
7 1. a. Following the end of the public health emergency declared
8 in response to the coronavirus disease 2019 (COVID-19), a
9 managed care provider or private health insurance provider shall
10 terminate any policies or practices that were adopted or employed
11 due to COVID-19 and resulted in a reduction in the quality or
12 quantity of health care delivered to patients, including but not
13 limited to, those policies or practices that resulted in a reduction in
14 the number of hours spent by home health care agency employees,
15 health care services firm employees, or health care facility
16 employees in the delivery health care services to patients.

17 b. Following the end of the public health emergency declared in
18 response to the coronavirus disease 2019 (COVID-19), and in the
19 case of a patient who previously requested a reduction in the
20 number of hours spent by home health care agency employees,
21 health care services firm employees, or health care facility
22 employees in the delivery health care services to the patient, at the
23 request of the patient, a managed care provider or private health
24 insurance provider shall reauthorize the number of hours spent by
25 home health care agency employees, health care services firm
26 employees, or health care facility employees in the delivery health
27 care services to the patient prior to COVID-19.

28
29 2. The Commissioners of Banking and Insurance and Health
30 may adopt rules and regulations, in accordance with the
31 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
32 seq.), as necessary to effectuate the provisions of this act.

33
34 3. This act shall take effect immediately.

STATEMENT

35
36
37
38
39 This bill requires certain providers to restore the level of care
40 delivered to patients to pre-COVID-19 levels following the end of
41 the public health emergency declared in response to COVID-19.

42 The bill provides that following the end of the public health
43 emergency declared in response to COVID-19, a managed care
44 provider or private health insurance provider is to terminate any
45 policies or practices that were adopted or employed due to COVID-
46 19 and resulted in a reduction in the quality or quantity of health
47 care delivered to patients, including but not limited to, those
48 policies or practices that resulted in a reduction in the number of

1 hours spent by home health care agency employees, health care
2 services firm employees, or health care facility employees in the
3 delivery health care services to patients.

4 Under the bill, following the end of the public health emergency
5 declared in response to COVID-19, and in the case of a patient who
6 previously requested a reduction in the number of hours spent by
7 home health care agency employees, health care services firm
8 employees, or health care facility employees in the delivery health
9 care services to the patient, at the request of the patient, a managed
10 care provider or private health insurance provider is to reauthorize
11 the number of hours spent by home health care agency employees,
12 health care services firm employees, or health care facility
13 employees in the delivery health care services to the patient prior to
14 COVID-19.