

SENATE, No. 214

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Requires health insurers to cover Lyme disease.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** requiring health insurance benefits for the treatment of
2 Lyme disease and supplementing various parts of the statutory
3 law.

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

7
8 1. a. No group or individual hospital service corporation
9 contract providing hospital or medical expense benefits shall be
10 delivered, issued, executed or renewed in this State, or approved for
11 issuance or renewal in this State by the Commissioner of Banking
12 and Insurance on or after the effective date of this act, unless the
13 contract provides benefits as provided by this section to persons
14 covered thereunder for expenses incurred in the treatment of Lyme
15 disease determined to be medically necessary by the covered
16 person's physician after making a written evaluation of that person's
17 symptoms, condition and response to treatment.

18 b. Treatment otherwise eligible for benefits pursuant to this
19 section shall not be denied because such treatment may be
20 characterized as experimental or investigational in nature.

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

24
25 2. a. No group or individual medical service corporation
26 contract providing hospital or medical expense benefits shall be
27 delivered, issued, executed or renewed in this State, or approved for
28 issuance or renewal in this State by the Commissioner of Banking
29 and Insurance on or after the effective date of this act, unless the
30 contract provides benefits as provided by this section to persons
31 covered thereunder for expenses incurred in the treatment of Lyme
32 disease determined to be medically necessary by the covered
33 person's physician after making a written evaluation of that person's
34 symptoms, condition and response to treatment.

35 b. Treatment otherwise eligible for benefits pursuant to this
36 section shall not be denied because such treatment may be
37 characterized as experimental or investigational in nature.

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

41
42 3. a. No group or individual health service corporation
43 contract providing hospital or medical expense benefits shall be
44 delivered, issued, executed or renewed in this State, or approved for
45 issuance or renewal in this State by the Commissioner of Banking
46 and Insurance on or after the effective date of this act, unless the
47 contract provides benefits as provided by this section to persons
48 covered thereunder for expenses incurred in the treatment of Lyme

- 1 disease determined to be medically necessary by the covered
2 person's physician after making a written evaluation of that person's
3 symptoms, condition and response to treatment.
- 4 b. Treatment otherwise eligible for benefits pursuant to this
5 section shall not be denied because such treatment may be
6 characterized as experimental or investigational in nature.
- 7 c. The provisions of this section shall apply to all contracts in
8 which the health service corporation has reserved the right to
9 change the premium.
- 10
- 11 4. a. No individual health insurance policy providing hospital
12 or medical expense benefits shall be delivered, issued, executed or
13 renewed in this State, or approved for issuance or renewal in this
14 State by the Commissioner of Banking and Insurance on or after the
15 effective date of this act, unless the policy provides benefits as
16 provided by this section to persons covered thereunder for expenses
17 incurred in the treatment of Lyme disease determined to be
18 medically necessary by the covered person's physician after making
19 a written evaluation of that person's symptoms, condition and
20 response to treatment.
- 21 b. Treatment otherwise eligible for benefits pursuant to this
22 section shall not be denied because such treatment may be
23 characterized as experimental or investigational in nature.
- 24 c. The provisions of this section shall apply to all policies in
25 which the insurer has reserved the right to change the premium.
- 26
- 27 5. a. No group health insurance policy providing hospital or
28 medical expense benefits shall be delivered, issued, executed or
29 renewed in this State, or approved for issuance or renewal in this
30 State by the Commissioner of Banking and Insurance on or after the
31 effective date of this act, unless the policy provides benefits as
32 provided by this section to persons covered thereunder for expenses
33 incurred in the treatment of Lyme disease determined to be
34 medically necessary by the covered person's physician after making
35 a written evaluation of that person's symptoms, condition and
36 response to treatment.
- 37 b. Treatment otherwise eligible for benefits pursuant to this
38 section shall not be denied because such treatment may be
39 characterized as experimental or investigational in nature.
- 40 c. The provisions of this section shall apply to all policies in
41 which the insurer has reserved the right to change the premium.
- 42
- 43 6. a. Notwithstanding any provision of law to the contrary, a
44 certificate of authority to establish and operate a health maintenance
45 organization in this State shall not be issued or continued by the
46 Commissioner of Banking and Insurance on or after the effective
47 date of this act unless the health maintenance organization provides
48 health care services to every enrollee for the treatment of Lyme

- 1 Disease as provided by this section determined to be medically
2 necessary by the enrollee's physician after making a written
3 evaluation of the enrollee's symptoms, condition and response to
4 treatment.
- 5 b. Health care services otherwise eligible for coverage pursuant
6 to this section shall not be denied because such services may be
7 characterized as experimental or investigational in nature.
- 8 c. The provisions of this section shall apply to all contracts for
9 health care services by health maintenance organizations under
10 which the right to change the schedule of charges for enrollee
11 coverage is reserved.
- 12
- 13 7. This act shall take effect on the 90th day after enactment.
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16 STATEMENT

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18 This bill requires hospital service corporations, medical service
19 corporations, health service corporations, commercial insurers and
20 health maintenance organizations to provide benefits for the
21 treatment of Lyme disease determined to be medically necessary by
22 the covered person's physician after making a written evaluation of
23 that person's symptoms, condition and response to treatment.
24 Treatment otherwise eligible for benefits pursuant to this bill could
25 not be denied because such treatment may be characterized as
26 experimental or investigational in nature.