

**SENATE, No. 473**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator NICHOLAS J. SACCO**

**District 32 (Bergen and Hudson)**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**SYNOPSIS**

Requires hospital employees assist uninsured patients with creating account to apply for insurance coverage through Federally-Facilitated Marketplace.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** concerning uninsured patients and supplementing Title 26  
2       of the Revised Statutes.

3

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

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7       1.   a.   As used in this section:

8       "Designated hospital employee" means an employee of the  
9       hospital who has received training in the collection of patient  
10      financial data and identification of third party coverage, and who  
11      may additionally be registered or otherwise permitted to assist  
12      patients in accessing and navigating the Federally-Facilitated  
13      Marketplace, in accordance with applicable State and federal law.

14      "Federally-Facilitated Marketplace" means the health insurance  
15      marketplace established pursuant to the federal "Patient Protection  
16      and Affordable Care Act," Pub.L.111-148, as amended by the  
17      federal "Health Care and Education Reconciliation Act of 2010,"  
18      Pub.L.111-152.

19      b.   Prior to a patient's discharge from a hospital, a designated  
20      hospital employee shall interview the patient to determine the  
21      patient's health insurance status. If the nature of the patient's  
22      required health care makes the patient interview impractical, the  
23      designated hospital employee shall interview a family member or  
24      guardian of the patient. The designated hospital employee shall  
25      inquire of the patient, family member, or guardian whether the  
26      patient is covered by health insurance and, if so, shall request  
27      documentation of the evidence of health insurance coverage.  
28      Documentation may include, but shall not be limited to, a  
29      government sponsored health plan card or number, a group  
30      sponsored or direct subscription health plan card or number, a  
31      commercial insurance identification card or claim form, or a union  
32      welfare plan identification card or claim form.

33      c.   If it is determined upon the discharge interview that the  
34      patient does not have health insurance, the designated hospital  
35      employee shall assist the patient to create an account enabling the  
36      patient to access the Federally-Facilitated Marketplace website and  
37      shall additionally provide the following assistance:

38      (1) If the patient's request for care occurs during the open  
39      enrollment period for purchasing health insurance through the  
40      Federally-Facilitated Marketplace, the employee may, to the extent  
41      permitted by law, assist the patient with registering an account with  
42      the Federally-Facilitated Marketplace website. If the employee is  
43      registered as a Navigator, Certified Application Counselor, or is  
44      otherwise permitted by State and federal law to assist individuals in  
45      enrolling in a health insurance plan, the employee shall offer  
46      assistance to the patient in applying for potential subsidies and  
47      enrolling in a qualified health plan of the patient's choice. An

1 employee not designated to provide assistance in enrollment may  
2 refer the patient to an appropriate staff member or entity to continue  
3 the enrollment process.

4 (2) If the patient's request for care does not occur during the  
5 open enrollment period for purchasing health insurance through the  
6 Federally-Facilitated Marketplace, if the designated employee is not  
7 registered or permitted by law or is otherwise unable to provide the  
8 assistance described in paragraph (1) of this subsection, if the  
9 patient chooses not to purchase insurance through the Federally-  
10 Facilitated Marketplace, or if the patient does not obtain insurance  
11 through the Federally-Facilitated Marketplace for any other reason,  
12 the designated employee shall provide the patient, family member,  
13 or guardian with information about resources available to assist the  
14 patient in navigating the Federally-Facilitated Marketplace website,  
15 purchasing health insurance through the Federally-Facilitated  
16 Marketplace, and the dates of the next open enrollment period.

17 (3) If it is determined during the patient's discharge interview  
18 that the patient is eligible for New Jersey FamilyCare, the  
19 designated employee shall assist the patient in beginning enrollment  
20 into the FamilyCare program using the State's presumptive  
21 eligibility process. If the employee is unable to assist in the  
22 enrollment process, or if the patient does not wish to begin the  
23 process at the time of the interview, the employee shall provide the  
24 patient with appropriate information on the FamilyCare program.

25  
26 2. This act shall take effect on the 30th day after the date of  
27 enactment.

## 30 STATEMENT

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32 This bill would require that designated hospital employees who  
33 have satisfied certain training requirements assist uninsured patients  
34 to create an account for the patient to access the Federally-  
35 Facilitated Marketplace established pursuant to the federal "Patient  
36 Protection and Affordable Care Act," Pub.L.111-148, as amended  
37 by the federal "Health Care and Education Reconciliation Act of  
38 2010," Pub.L.111-152, also known as "Obamacare." The  
39 designated employee would be required to provide additional  
40 information concerning the Federally-Facilitated Marketplace and,  
41 if authorized to do so, may also assist the patient with obtaining  
42 health insurance through the Federally-Facilitated Marketplace.

43 Prior to a patient's discharge from a hospital, the designated  
44 employee would interview the patient, or the patient's family  
45 member or guardian if the patient is unavailable, to determine  
46 whether the patient has health insurance coverage and to obtain  
47 documentation of any coverage. If it is determined that the patient  
48 does not have insurance coverage, the designated hospital employee

1 would assist the patient to create an account enabling the patient to  
2 access the Federally-Facilitated Marketplace website.

3 If the patient's request for care occurs during the open  
4 enrollment period for purchasing health insurance through the  
5 Federally-Facilitated Marketplace, the employee may, to the extent  
6 permitted by law, assist the patient with registering an account with  
7 the Marketplace website. If the employee is registered as a  
8 Navigator, Certified Application Counselor, or is otherwise  
9 permitted by State and federal law to assist individuals in enrolling  
10 in a health insurance plan, the employee would offer assistance to  
11 the patient in applying for potential subsidies and enrolling in a  
12 qualified health plan of the patient's choice. An employee not  
13 designated to provide assistance in enrollment would be permitted  
14 to refer the patient to an appropriate staff member or entity to  
15 continue the enrollment process.

16 If the patient's request for care does not occur during the open  
17 enrollment period, if the designated employee is not registered or  
18 permitted by law or is otherwise unable to provide such assistance,  
19 if the patient chooses not to purchase insurance through the  
20 Federally-Facilitated Marketplace, or if the patient does not obtain  
21 insurance through the Marketplace for any other reason, the  
22 designated employee would provide the patient, family member, or  
23 guardian with information about resources available to assist the  
24 patient in navigating the Marketplace website, purchasing health  
25 insurance through the Marketplace, and the dates of the next open  
26 enrollment period.

27 If it is determined during the patient's discharge interview that  
28 the patient is eligible for New Jersey FamilyCare, the designated  
29 employee would assist the patient in beginning enrollment into the  
30 FamilyCare program using the State's presumptive eligibility  
31 process. If the employee is unable to assist in the enrollment  
32 process, or if the patient does not wish to begin the process at the  
33 time of the interview, the employee would provide the patient with  
34 the appropriate information on the FamilyCare program.