

SENATE, No. 901

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires employers and birthing facilities to notify insured pregnant women if their health insurance coverage is not subject to 48-hour maternity law.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning certain maternity health insurance benefits and
2 supplementing Titles 34 and 26 of the Revised Statutes.

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

6
7 1. An employer in this State who provides coverage for
8 maternity benefits to his employees or their dependents shall
9 annually and upon request of an employee at other times during the
10 year, notify his employees whether the employees' coverage for
11 maternity benefits is subject to the requirements of P.L.1995, c.138
12 concerning the minimum time a woman shall be permitted to remain
13 at a health care facility following childbirth.

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15 2. The administrator of a licensed general hospital or other
16 birthing facility providing maternity care to a pregnant woman who
17 has health care insurance coverage which includes maternity
18 benefits, or a person designated by the administrator, shall, prior to
19 the woman's delivery date, determine if the coverage is subject to the
20 requirements of P.L.1995, c.138 concerning the minimum time a
21 woman shall be permitted to remain at the facility following
22 childbirth. If the administrator or other designated person determines
23 that the woman's coverage is not subject to the requirements of
24 P.L.1995, c.138, that person shall promptly notify the woman of that
25 fact and, if known, the duration of inpatient care to which the woman
26 is entitled under her insurance coverage.

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28 3. This act shall take effect on the 30th day after enactment.

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STATEMENT

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33 P.L.1995, c.138 requires that health, hospital and medical service
34 corporation contracts, individual, small employer and group health
35 insurance policies and health maintenance organization contracts
36 delivered, issued, executed or renewed in this State, which include
37 maternity benefits, provide coverage for a minimum of 48 hours of
38 in-patient care following a vaginal delivery and a minimum of 96
39 hours of in-patient care following a cesarean section for a mother and
40 her newborn child in a licensed health care facility.

41 The bill provides specifically as follows:

42 An employer in this State who provides coverage for maternity
43 benefits to his employees or their dependents is required to annually,
44 and upon request of an employee at other times during the year, notify
45 each employee whether that employee's coverage for maternity
46 benefits is subject to the requirements of P.L.1995, c.138.

47 • The administrator of a licensed general hospital or other
48 birthing facility providing maternity care to a pregnant woman who

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1 has health care insurance coverage which includes maternity
2 benefits, or a person designated by the administrator, is required,
3 prior to the delivery date, to:
4 -- determine if the coverage is subject to the requirements of
5 P.L.1995, c.138; and
6 -- if the person determines that the woman's coverage is not
7 subject to the requirements of that law, promptly notify the woman of
8 that fact and, if known, the duration of the inpatient care to which the
9 woman is entitled under her insurance coverage.